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ARCHIVES

OF THE

STATE OF NEW JERSEY.

FIRST SERIES.

Vol. XVIII.

This volume was prepared and edited by authority of the State of New Jersey, at the request of the New Jersey Historical Society, and under the direction of the following Committee of the Society:

William Nelson,
Garret D. W. Vroom,
Frederick W. Ricord,
William S. Stryker,
Edmund D. Halsey.

DOCUMENTS

RELATING TO THE

COLONIAL HISTORY

OF THE

STATE OF NEW JERSEY.

EDITED BY

FREDERICK W. RICORD.

VOLUME XVIII.

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[L. S.] At a Council Held at Burlington on Tuesday the 21st of February 1769

Present
His Excellency the Governor

The Honble { Charles Read, John Smith, Saml Smith } Esqrs

His Excellency laid before the Board a Draught of a Charter for Incorporating "The Trustees of the Free Schools of the Town of Woodbridge" which had been presented to him for his Approbation:

Which was referred for farther Consideration

His Excellency also laid before the Board a Letter from Charles Clarke Esqr of Trenton requesting Leave to decline Qualifying again as one of the Justices of the Peace for the County of Hunterdon on Acct of his Age, representing in the said Letter, that he had Served His Majesty in that Capacity for forty Six Years past.

Whereupon His Excellency with the Advice of the Council was pleased to Excuse him—His Excellency at the same Time was pleased to nominate Benjamin Clarke of Trenton to be inserted in the Commission of the Peace for the County of Hunterdon in the Room of the said Charles Clark Esqr to which the Council Assented.

His Excellency with the Advice of the Council was pleased to Issue the following Warrants, directed to the Treasurers of New Jersey or either of them to pay.

	s.	d.
N° 348. To Himself or Order for one Quarters Salary.....£300	„ 0	„ 0

349	To Himself or Order for one Quarters House Rent.....	15 „ 0 „ 0
350	To The Honble Fred[k] Smyth Esq[r] Ch. Justice, one Q[rs] Salary.....	37 „ 10 „ 0
351	To The Honble Cha[s] Read Esq[r] 2[d] Justice One Qua[rs] Salary.....	12 „ 10 „ —
352	To The Honble Jn[o] Berrien Esq[r] 3[d] Justice One Qua[rs] Salary.....	12 „ 10 „ 0
353	To Cortland Skinner Esq[r] Att[y] Gen[l] One Qua[rs] Salary.....	7 „ 10 „ 0
354	To Joseph Reed Esq[r] or Order Clk of the Council, One Q[rs] Salary.....	7 „ 10 „ 0
355	To The Honble Sam[l] Smith Esq[r] one of the Trears One Q[rs] Salary.....	10 „ 0 „ 0
356	To S. Skinner Esq[r] One of the Treasurers One Qua[rs] Salary.....	10 „ 0 „ 0
357	To Jos Warrell Esq[r] Clerk of the Circuits One Qua[rs] Salary.....	5 „ 0 „ 0
358	To John Carty, Doorkeeper to the Council One Qua[rs] Salary.....	2 „ 10 „ 0

At a Council held at Burlington on Friday the 17[th] of March 1769.

Present

His Excellency William Franklin Esq[r]

The Hoñble { Charles Read, John Smith, Sam[l] Smith } Esq[rs]

His Excellency laid before the Board a Draught of a Charter for incorporating "The Corporation for the Relief of the Widows and Children of Clergymen in the Communion of the Church of England in America" with a Certificate thereon endorsed by the Attorney General that he had inspected the same and found nothing therein contained inconsistent with His Majesty's Honour and Interest.

The Council, having made one Alteration in the said Draught, advised His Excellency to cause the Seal of this Province to be affixed to the said Charter when the same should be engrossed agreeable to the said amended Draught.

His Excellency was pleased to Nominate William Lovett Smith to be One of the Justices of the Peace for the County of Burlington to which the Council Assented.

And, with the Advice of the Council, His Excellency was pleas'd to sign a Warrant directing the Treasurers or either of them to pay

N° 359. unto The Hoñble Frederick Smyth Esq^{r} or Order Forty pounds proc^{n} Money for holding the Courts of Oyer & Terminer in the Counties of Bergen Essex and Morris; and a Special Court of Oyer & Terminer in Bergen since the last Nov^{r} Term.. £40 „ — „ —

At a Council held at Burlington on Thursday the 27th April 1769.

Present

His Excellency The Governor

The Hoñble { Charles Read, John Smyth, Samuel Smyth } Esq^{rs}

His Excellency laid before the Board a Letter from His Excellency Sir Henry Moore Bar^{t} Governor of the Province of New York, together with an Application to Governor Moore from the Managers on the Part of New York appointed by an Act of the Legislature of that Province in the Controversy before the Commissioners appointed for settling the Boundary between New Jersey and New York requesting the Protection of this Province to Captain Bernard Ratzer in making a Survey of the River Delaware in Order

to enable the said Commissioners to Settle the said Boundary Line with the greater Accuracy & Precision. His Excellency at the Same time inform'd the Board that he had Acquainted M^r^ Parker the President of the Council of Proprietors of East Jersey with the said Application, Who informed His Excellency that the Proprietors of East Jersey had no Objection to the making the said Survey nor to the appointment of the s^d^ Cap^t^ Ratzer for that purpose Whereupon The Council advised His Excellency to notify the same to the Inhabitants by the following Proclamation.

By His Excellency WILLIAM FRANKLIN ESQ^r^ Captain General, Govern^r^ and Commander in Chief in and over his Majesty's Province of New Jersey & Territories thereon depending in America, Chancellor and Vice Admiral in the same.

A Proclamation

Whereas many Disturbances and Riots have happened amongst the Settlers near the Line of Partition between His Majesty's Provinces of New Jersey and New York and the Peace, good Order and Improvement of that part of the Country have been thereby greatly obstructed, His Majesty has been graciously pleased to issue his Commission under the Great Seal of Great Britain impowering a number of Gentlemen of Knowledge and Integrity to fix and adjust a Line of Boundary and Partition between those Colonies,[1] who are in a Short time to proceed on that important Business. And as it has been represented to me as necessary & expedient that some accurate Surveys should be made of the Courses of the River Delaware, and that Cap^t^ Bernard Ratzer is to be employed for that Purpose, I have thought fit by and with the Advice of His Majesty's Council to notify the same by Proclamation to the Inhabitants of this Government, and that those Surveys which shall be made by Captain Ratzer are intended for no other Purpose whatsoever

[1] For a statement of the claim of New York against New Jersey in relation to boundaries, see N. J. Archives, X., 119.

than to enable the said Commissioners to fix and adjust the Boundary Line between the said Colonies with the greater Accuracy and Precision.

I do therefore hereby strictly command and enjoin all Officers Civil and Military and other the Inhabitants of this Colony that they by no Means whatsoever obstruct a Work so salutary and of so much Consequence to both Colonies, but behave with Kindness and Civility to the said Cap^{t} Bernard Ratzer and the Persons employed with him in that Service, and give them Aid and Protection if there shall be Occasion. Given under my Hand & Seal at Arms at the City of Burlington the twenty seventh Day of April in the Ninth Year of His Majestys Reign Anno Dom 1769.

Signed

W^{m} FRANKLIN.

By His Excellency's Command.

JOS. REED JUN^{r} D. Secr^{y}

His Excellency laid before the Board an Application from sundry of the Inhabitants of the Township of Maidenhead requesting that Edmund Bainbridge jun^{r} and Joseph Philips may be put in the Commission of the Peace for the County of Hunterdon, which was referred to the consideration of the Council at their next meeting.

His Excellency was pleased to nominate Daniel Ellis Esq^{r} as a Judge of the inferiour Court of Common Pleas for the County of Burlington, to which the Council Assented.

At a Council held at Burlington on Saturday May 13th 1769.

Present

His Excellency The Governor

David Ogden Esq^{r} John Smith Esq^{r}
Charles Read Esq^{r} John Ladd Esq^{r}

Richard Stockton Esq^{r} presented to His Excellency His Majesty's Mandamus dated the 12th of November 1768.

appointing the Said Richard Stockton Esq[r] to be one of His Majesty's Council for this Province in the Room of The Hoñble Samuel Woodruffe Esq[r] dec[d] Whereupon in Obedience to the same His Excellency by & with the Advice of the Council, administered the Oaths appointed by Law, and also the Oath of a Counsellor, and the said Richard Stockton[1] Esq[r] having made and Subscribed the usual Declaration was admitted to take his Seat accordingly.

At a Council held at Burlington on Monday the 15[th] May 1769.

Present

His Excellency The Governor

The Hoñble { David Ogden, Charles Read, John Smith, Samuel Smith, Frederick Smith } Esq[rs]

The Board resumed the Consideration of the Charter of "The Trustees of the Free Schools of the Town of Woodbridge" Which being again Read Paragraph by Paragraph and Some Amendments made therein. The Council advised His Excellency to Cause the Great Seal to be Affixed thereto.

At a Council held at Burlington on Monday May the 22[d] 1769.

Present

His Excellency The Governor

The Hoñble { Charles Read, John Smith, Sam[l] Smith } Esq[rs]

His Excellency with the Advice of the Council was pleased to Sign the following Warrants, directed to the Treasurers, to pay.

[1] Signer of the Declaration of Independence.

N° 360	To Himself or Order for One Quarters Salary	£300	„ 0	„ 0
361	To the same for one Quarter's House Rent	15	„ 0	„ 0
362	To Frederick Smyth Esq^{r} for one Quarters Salary	37	„ 10	„ 0
363	To Charles Read Esq^{r} The like	12	„ 10	„ 0
364	To John Berrien Esq^{r} The like	12	„ 10	„ 0
365	To Joseph Reed, Clk of the Council, the like	7	„ 10	„ 0
366	To Cortland Skinner Esq^{r} Atty Gen^{l} The like	7	„ 10	„ 0
367	To Samuel Smith Esq^{r} Treasurer The like	10	„ 0	„ 0
368	To Stephen Skinner Esq^{r} Treasurer The like	10	„ 0	„ 0
369	To Joseph Warrell Esq^{r} Clk of the Circuits, The like	5	„ 0	„ 0
370	To John Carty, Doorkeeper to the Council, the like	2	„ 10	„ 0
371	To The Ch. Justice for holding the Circuit Courts in the Counties of Salem, Cumberland Gloucester & Hunterdon	40	„ 0	„ 0
372	To Samuel Smith Esq^{r} for changing £2776 „ 10 „ 0 for the Year Ending the 10th Ins^{t} at 2½ p C^{t} And for sinking £4501 „ 2 „ 0 at 1 p C^{t}	114	„ 8	„ 5½

At a Council held at Burlington Saturday June 10th 1769.

Present
His Excellency The Governor

The Hoñble { Charles Read, John Smith, Samuel Smith } Esq^{rs}

His Excellency laid before the Board a Letter which he had lately received from John Stephens, a Prisoner in the Goal of the County of Morris, in which Letter the said Stephens mentions that in or about the Month of August last he was taken up on Suspicion of having robbed the Treasury at Perth Amboy;[1] but that when he came to be tried, he was not examined concerning the said Robbery of the Treasury, but was convicted of another Crime:—And that if he had been examined touching some Money he was Possessed of, when he was first apprehended he believes something might have been found out which His Excellency is not aware of "That he is ready to be Examined and to "tell where he got those Monies, from whom and in what "Manner he received them, and believes that was his "Excellency to hear what passed when he received the "Monies, he would be apt to find something out" His Excellency at the Same Time inform'd the Board that in Consequence of the said Letter he wrote to the Sheriff of Morris County who had waited upon him and inform'd him that when the said Stephens was Committed to Prison, he was suspected of having been concerned in the Robbery of the Treasury, but that a Woman had appeared & prosecuted him for robbing her of the Money he was possess'd of, of which he was convicted by his own Confession, and is still confined in Goal for the Fees of the said Prosecution: That it is a prevailing Opinion in the County of Morris that he is likely to have been concerned in the said Robbery of the Treasury, and that the said Prosecutrix is a Person very unlikely to have been possessed by honest Means of so much Money as She pretended to have been robbed of: And His Excellency was pleased to Ask the Advice of the Board as to what Measures it would be proper to take on the Occasion

Whereupon the Board advised His Excellency to cause the said Stephens to be brought to this City in Order that he may be examined touching the Premises; and M^r^ Justice Read being present, issued a Habeas Corpus, ordering the

[1] For an account of the robbery, see N. J. Archives, X., 37.

Sheriff of Morris to bring the said John Stephens before him at his Chambers in this City on Saturday the 17th Instant.

At a Council held at Burlington on Saturday the 17th of June 1769.

Present

His Excellency William Franklin Esqr Governor

The Hoñble Chas Read, John Smith & Saml Smith.

Pursuant to the Habeas Corpus Issued by Order of Mr Justice Read on the 10th Inst the Sheriff of Morris County Attended with the Prisoner, John Stephens, who being ordered in and examined did not give any Information whatever, that could any way tend to discover the Persons who robbed the Treasury at Perth Amboy in July last, or any of the Circumstances relative to the said Robbery: and being fully and particularly interrogated, several Times declared that he knew Nothing of the said Robbery, and could give no farther Information than what was contained in the Answers he had already given, Whereupon the said Prisoner was remanded.

At a Council held at Burlington on Friday the 18th of August 1769.

Present

His Excellency William Franklin Esqr Governor

The Hoñble John Smith & Samuel Smith Esqrs

His Excellency communicated to the Gentlemen of the Council a Letter he had received from the Agents for managing the Controversy between this Province and New York relative to the Boundary Line, together with an Agreement of the Agents on both sides for running a Line from Hudsons River to the lower End of Minisink Island in Delaware, and an Affidavit of one of the Surveyors that he had been obstructed in his Attempt to run the said Line; in which

Letter the said Agents request His Excellency to issue a Proclamation commanding the Inhabitants of this Province to Permit the said Line to be run. His Excellency at the same Time shewed the Gentlemen of the Council a Letter from M^r^ Stevens and M^r^ Parker two of His Majesty's Council for this Province advising him to issue the said Proclamation And the Gentlemen of the Council now present concurring in the said Advice.

His Excellency with the Advice aforesaid was pleased to issue a Proclamation in the Words following.

By His Excellency William Franklin Esq^r^ Capt^n^ General and Commander in Chief of the Province of New Jersey and Territories thereunto belonging in America. Chancellor & Vice Admiral in the Same &c.

A Proclamation

Whereas many Disturbances & Riots have heretofore happened among the Settlers near the Line of Partition between his Majesty's Provinces of New Jersey and New York, and the Peace Good Order and Improvement of that Part of the Country have been thereby greatly obstructed. And whereas His Majesty has been graciously pleased to issue his Commission under the Great Seal of Great Britain impowering a Number of Gentlemen of Knowledge and Integrity to fix and adjust a Line of Boundary and Partition between the said Colonies who have accordingly met and entered on that important Business. And Whereas it hath been represented to me that it hath been agreed by and between the Agents appointed by the Legislature of this Province and those of the Province of New York for managing the Controversy relative to the boundary Line between the two Provinces that, for certain Reasons, a Line should be run from a Place on Hudson's River, due West of Yonkers Lower Mill, to the lower End of Minisink Island.

And Whereas it appears to me on Oath that Anthony Dennis and James Clinton, the Surveyors appointed to run

the said Line were, on Tuesday the 15th Instant opposed in a Riotous Manner in running the said Lines and compelled by Threats to desist from the Same, whereby the Execution of His Majesty's Said Commission is hindered & delayed and the public Peace endangered.

I do therefore with the Advice and Consent of His Majesty's Council, hereby strictly require and enjoin all Officers Civil and Military, and other the Inhabitants of this Colony, that they by no Means whatever obstruct a Work so salutary and of so much Consequence to both Colonies, especially to the Inhabitants residing on or near the Lands in Controversy, but behave with Kindness and Civility to the said Surveyors and the Persons employed with them in that Service. And I do likewise Command and direct all Officers Civil and Military and other His Majesty's liege Subjects in this Province, to aid and assist the Surveyors, Chainbearers and others employed in running the said Line, and such other Line or Lines as they shall by the said Commissioners or Agents be instructed to run for the Purposes aforesaid, and to apprehend and bring to punishmt all and every Person and Persons whatsoever who shall presume to molest or hinder the said Surveyors or either of them in the Services aforesaid as they will Answer the Contrary at their Peril.

Given under my Hand and Seal at Arms in the City of Burlington the Eighteenth Day of August in the ninth Year of His Majesty's Reign Anno Domini 1769.

By His Excellency's Command

Jos: Reed D: Secy

At a Council held at Burlington on Monday the 28th Augt 1769.

Present

His Excellency William Franklin Esqr Governor

The Hoñble { Charles Read, John Smith, Samuel Smith } Esqrs

His Excellency proposed calling the General Assembly to meet in this City, and desired the Advice of the Council as to the proper Time of their Meeting. Whereupon the Council advised His Excellency to Appoint Tuesday the 10th of Oct^{r} next for the Meeting of the Assembly at Burlington and His Excellency was pleased to Order the Secretary to Notify the Same to the Members of His Majesty's Council and of the House of Representatives.

At a Council held at Burlington on Tuesday the 17th Oct^{r} 1769.

Present

His Excellency William Franklin Esq^{r} Governor

The Hoñble { M^{r} Kemble, M^{r} Read } { M^{r} J. Smith, M^{r} S: Smith }

His Excellency was pleased to nominate Micajah Willis and Amos Pharo to be Justices of the Peace in the County of Monmouth to which the Council assented, the said Micajah Willis to be of the Quorum.

At a Council held at Burlington on Tuesday the 31st of October 1769.

Present

His Excellency William Franklin Esq^{r} Governor

The Honble { M^{r} Kemble, M^{r} Read, M^{r} J. Smith, M^{r} Stevens, M^{r} S. Smith } { M^{r} Ladd, M^{r} Parker, M^{r} Ch. Justice, M^{r} Stockton }

His Excellency laid before the Board a Petition from the Judges and Justices of Burlington County setting forth that the Time of holding the Court of Common Pleas and General Quarter Sessions of the Peace in the Said County in the

Month of July is inconvenient, and praying that the same may be altered to the Second Tuesday in August. The Council advised His Excellency to grant the Prayer of the said Petition, and to issue an Ordinance for that Purpose.

His Excellency also laid before the Board a Petition from sundry of the Inhabitants of the Township of Piles Grove in the County of Salem, which was read, praying, for the Reasons therein mentioned that a Division may be made of the same and a Patent issue for a part thereof by the Name of *Pitts Grove*, to which the Council assented and advised His Excellency to issue the said Patent.

Also a Petition from Sundry Inhabitants of the Township of Hopewell in the County of Hunterdon, of the Baptist Persuasion praying for a Charter of Incorporation by the Name of The Baptist Congregation in Hopewell, to which the Council assented and advised His Excellency to grant the same.

His Excellency was pleased to nominate Samuel Bard and Zachariah Rozell to be Justices of the Peace in the County of Burlington to which the Council assented.

His Excellency also laid before the Board a Letter from John Monrow Esq^{r} one of His Majesty's Justices of the Peace for the County of Burlington, praying to be discharged from the said Office, on Account of his Age. Whereupon the Council advised His Excellency to issue a Supersedeas to the said John Monrow Esq^{r}

At a Council held at Burlington on Wednesday Nov^{r} 15th 1769.

Present

His Excellency William Franklin Esq^{r} Governor

The Hon$\tilde{\text{n}}$ble	M^{r} Kemble	M^{r} S. Smith
	M^{r} Ogden	M^{r} Parker
	Lord Stirling	M^{r} Ch. Justice
	M^{r} J. Smith	M^{r} Stockton

His Excellency laid before the Board a Letter from John Stevens and James Parker Esq[rs] two of the Agents appointed on the Part of this Province to Manage the Controversy on the Boundary Line between this Colony and the Colony of New York, together with a Copy of the Decree of the Commissioners appointed by His Majesty's Letters Patent for finally settling and determining the said Boundary Line, which were read and are as follows.

"May it please Your Excellency

"As Agents appointed by an Act of Legislature of the "Province of New Jersey, pass'd in the fourth Year of His "present Majesty's Reign, for managing the Controversy on "the Boundary Line between this Colony and the Colony of "New York, We beg leave to represent to Your Excellency."

"That in Consequence of said Appointment, Application "having been made to His most gracious Majesty for that "Purpose, he was pleased to issue his Letters Patent under "the Great Seal of Great Britain dated the seventh Day of "October in the seventh Year of his Reign, appointing John "Temple Esq[r] and twelve others or any five of them, Com-"missioners for ascertaining, Settling adjusting & deter-"mining the boundary or partition Line between the two "Colonies, from the Station on Hudson's River, to the "Station on Delaware River.

"That agreeable to the Tenor of the said Commission the "eighteenth day of July last was fixed for the meeting of the "Commissioners therein appointed, who after a long hearing "of near Three Months, on the seventh day of October last "decreed That A Direct and Straight Line from the Fork of "Mahackamack where it forms its junction with the River "Delaware being in the Latitude of 41° ,, 21′ ,, 37″ to a cer-"tain Rock on the West Side of Hudson's River, being 79 "Chains and 27 Links to the Southward, on a Meridian from "Sneydon's House formerly Corbets, should be the Boundary "or Partition Line between the said Colonies of New York "and New Jersey."

"That altho' this Line takes off from the Province of "New Jersey about 150,000 Acres of Land that by the Line "settled in the Year 1719 was found, and ever since esteemed "to be a part of the Province, and on wch there are many "antient Settlements under New Jersey Titles, the Agents of "the Province of New York have offered a general appeal "from the Decree of the Commissioners to his Majesty and "Privy Council, which will be received on the 8th Day of "December next, which Day is appointed by the Commis- "sioners for a meeting at Hartford in Connecticut for that "Purpose, and in order to take the Steps directed in the "Commission for transmitting their Proceedings to His "Majesty in Council.

"As we Conceive this a Matter of great Concern to the "general Welfare of the Province, as well as great Numbers "of Individuals, who will be particularly affected thereby, "We think it our Duty at this time, when the three Branches "of the Legislatnre are met in General Assembly, to lay it "before Your Excellency with the several Papers relative "thereto, that your Excellency may take such Measures as to "you shall seem most fit, to procure us the Advice and other "Assistance of the Province in a Matter of such Importance. "We are, with great Respect, Your Excellency's most "Obedient and most humble Servants

"Burlington Novr 9th 1769. JOHN STEVENS
JAMES PARKER

"His Excellency Governor Franklin

"The Papers referred to are.
"State of the Claim of New Jersey,
"State of the Claim of Nw York
"Argument of New York, Argument of New Jersey,
"Commissioners Decree which is as follows.

"At a Meeting of the Commissioners appointed by his "most Gracious Majesty's Commission to Settle the Boundary "Line between the Colonies of New York and New Jersey,

"held at the long Room called the Chamber of Commerce in "the City of New York on the 7th Day of October 1769.

Present CHARLES STEUART Esq[r] President
ANDREW ELLIOT Esq[r]
SAM[l] HOLLAND Esq[s] CHARLES MORRIS Esq[r]
ANDREW OLIVER Esq[r] JARED INGERSOLL, Esq[r]

"The Agents on the Part of both Colonies having offered "to the Court, all that they thought necessary or proper in "Support of their Respective Claims, and the Court having "duly considered the Same do find.

"That King Charles the Second by his Letters Patent "bearing date the twelfth Day of March 1664 did grant and "convey to his Brother the Duke of York all that Tract of "Country and Territory now called the Colonies of New "York and New Jersey: and that the said Duke of York "afterwards by his Deeds of Lease and Release bearing Date "the 23[d] and 24th Days of June 1664 did grant and Convey "to Lord Berkeley of Stratton and S[r] George Carteret that "part of the aforesaid Tract of Land called New Jersey, the "Northern Bounds of which in said Deed are Described to "be to the Northward as far as the northermost Branch of "the said Bay or River of Delaware which is in 41° 40[m] of "Latitude and crosseth over thence in a Straight Line to "Hudson's River in 41° of Latitude.

'We further find among the many Exhibits a certain 'Dutch Map compiled by Nicholas John Vischer, and pub-'lished not long before the aforesaid Grant from the Duke 'of York, which we have Reason to believe was esteemed 'the most correct Map of that Country at the Time of the 'said Grant, on which Map is laid down a Fork or Branch-'ing of the River then called Zuidt River or South River 'now Delaware River in the Latitude of 41° & 40[m] which 'Branch we cannot doubt was the Branch in the Deed from 'the Duke of York, called the Northermost Branch of the 'said River and which in the Deed is said to lie in the Lati-

'tude of 41° & 40^{m} and from a careful Comparison of the 'Several Parts and Places laid down in the said Map, some 'of which, more especially towards the Sea Coast, and on 'Hudson's River, we have Reason to believe were at that 'Time well known. The Distance from the Said Branch to 'the Sea Shore on the South and the relative Situation of 'the Same with regard to other Places, and the Lines of 'Latitude as they appear to be laid down on the Said Map, 'at that and other Places in the inland Country. We are of 'Opinion that the said Branch so laid down on the said Map, 'is the Fork or Branch formed by the Junction of the Stream 'or Waters called the Mahackamack with the River called 'Delaware or Fishkill, and that the same is the Branch in- 'tended and referred to in the before mentioned Deed from 'the Duke of York as the northern Station at the River 'Delaware: which Fork or Branch we find by an Observa- 'tion taken by the Surveyors appointed by the Court to be 'in the Latitude of 41° 21′ & 37 Seconds.

'We are further of Opinion that the northern Station at 'Hudsons River, being, by the Words of the said Deed from 'the Duke of York expressly limited to the Latitude of 41° 'should be fixed in that Latitude; which Latitude we have 'caused to be taken in the best manner by the surveys ap- 'pointed by the Court, and which falls at a Rock on the 'West Side of Hudson's River, mark'd by the said Surveyors, 'being 79 Chains & 27 Links to the Southward, on a 'Meridian from Sneydon's House formerly Corbets.

'It is therefore the final Determination of the Court that 'the Boundary or Partition Line between the said Colonies 'of New York and New Jersey be a direct and straight Line 'from the said Fork at the Mouth of the River Mahacka- 'mack in the Latitude of forty one Degrees twenty one 'Minutes and thirty seven Seconds to Hudson's River at the 'said Rock in the Latitude of forty one Degrees as above 'described. Signed

CHA. STEUART, ANDREW ELLIOT,
ANDREW OLIVER, JARED INGERSOL.

'Samuel Holland and Charles Morris Esq[r] two of the 'Members of the Court, not concurring in a part of the fore-'going Determination (Viz[t]) that Part respecting the Station 'at Hudsons River, desired to have their Reasons, for such 'their Dissent, entered on the Minutes of our Proceedings, 'which was allowed and they are as follows.

"The Northern Boundary of the Province of New Jersey "is the Matter submitted to our Consideration, and to ascer-"tain the Extremities of the Partition Line upon Hudson's "and Delaware Rivers.

'In doing this we are to proceed upon Principles of Justice 'and Equity having Respect to the Proofs. This we appre-'hend to be the Language and Intent of the Commission, 'and it is necessary it should be so, because the Country was 'but little Known at the Time the Grants to the Duke of 'York were made, and we must of necessity have Recourse 'to the ancient Maps which were in being at the Time of 'making those Grants.

'It is difficult to ascertain with precision what Lands 'passed to the Duke of York by his Grant, either from the 'express Words of the Grants or by any Maps of the Country 'that appear to us to have been then extant; nor is it prob-'able that the Duke or his Grantees were better informed 'when he conveyed New Jersey to Berkley & Carteret.

'The best Lights we have in this Matter are the Maps of Vischer.

'The Words relative to the Latitude in the Grant to 'Berkley and Carteret are words of Description concerning 'the northermost Branch of Delaware, and we do not find, 'upon Inquiry, any Branch in the Latitude mentioned a 'Branch nevertheless seems to be intended. The Branch nigh 'to that Latitude is that of Mahackamack, and which, from a 'View of this ancient Map, we are induced to believe was the 'North Partition Point intended by the Parties, and think in 'Justice and Equity ought to be so determined, because a 'Line, from Hudsons River to the Branch at Easton, claimed 'on the Part of New York, or to that of the Poughpactonk

'and Mohawk Branches claimed by New Jersey, would in-
'volve many of His Majesty's Subjects in absolute Ruin who
'hold respectively under each Government.

'It is therefore upon this Principle the Point on Hudson's
'River we apprehend ought also to be fixed, for as it appears
'by Vischer's Map, that the Latitude of forty one on Hudsons
'River, which Map, we apprehend was the Guide and Direc-
'tion to the Duke in forming his Grants to Berkley & Car-
'teret, this Map ascertains the Latitude of forty one on the
'upper Part of the Manhattans Island.

'If the Country therefore was Vacant we should not hesi-
'tate in declaring that the Latitude of forty one as laid down
'in the ancient Maps, would in Equity be the Station on
'Hudsons River, and more especially because we have had
'abundant Experience in our own Departments to Observe
'that the ancient Geographers fixed their Latitude in these
'Parts of the Continent Several Miles more southerly than
'are found to be by more modern Observations.

'In Tenderness therefore to the New Jersey Settlers, we
'are inclined to a more Northern Station, and in Settling the
'Place where, consider that before the contested Territory was
'planted a Place due West of Frederick Philips' Mills gained
'the Reputation as the Station Point upon Hudson's River
'and a Line from this Station, which appears to be anciently
'fixed by the Governments concerned, will be the least detri-
'mental to the Settlers, and one more northerly will compre-
'hend many Farms in a populous Neighbourhood held under
'New York by ancient Patents, We cannot help being of
'Opinion that a Line thence to the Mahackamack Branch
'will be the most just and equitable of any we can fix upon,
'agreeble to the Design of the Royal Commission, which we
'imagine will be most conformable to his Majesty's gracious
'Intentions to his Subjects in both Provinces.'

Signed

Samuel Holland.
Charles Morris.

On which several Matters His Excellency desired the Opinion and Advice of the Council.

At a Council held at Burlington on Thursday the 16th Novr 1769.

Present

His Excellency William Franklin Esqr Governor

The Honble	Mr Kemble	Mr S. Smith
	Mr Ogden	Mr Ladd
	Lord Stirling	Mr Parker
	Mr J. Smith	Mr Stockton

His Excellency laid before the Board a Bill intituled A Supplementary Act to an Act intituled "An Act appointing Commissioners for finally Settling and determining the Several Rights Titles and Claims to the Common Lands of the Township of Bergen and for making Partition thereof in just and equitable Proportions among those who shall be Adjudged by the said Commissioners to be intituled to the same," and desired the opinion of the Council, whether consistent with his Majesty's Royal Instructions relative to private Acts, he can pass the said Supplementary Act without a suspending Clause.

The Council having taken the same into Consideration, are of opinion That, as all the Petitioners against this Supplementary Act, and all the other Parties concerned in the Common Lands of Bergen were consenting to and desirous of having the Original Act for dividing the Common Lands of Bergen passed into a Law, and as the Matters directed to be done by this Supplementary Act, are only such as were left uncompleat, occasioned by an equal Division of the Opinions of the Acting Commissionrs appointed by the Original Act; and as, on the Principle of the first Reason above mentioned, there was no suspending Clause to the former Act, and more especially as in this Supplementary Act there is Time allowed sufficient to answer the Purposes of a suspend-

ing Clause, His Excellency may, consistent with the Royal Instructions, give his Assent to the Supplementary Act now before them.

The Council, having taken into consideration the Papers communicated to them Yesterday by his Excellency the Governor respecting the Proceedings of the Commissioners appointed by His Majesty to settle the Line between this Colony and the Colony of New York, are of Opinion that it will be for the Advantage of this Colony that the Legislature should give all proper Countenance and Assistance to the Agents engaged in that Service on Behalf of this Colony, and for that Purpose that His Excellency be advised to Add Weight to their Application to the Assembly by recommending to them the Importance of having the Matter litigated before His Majesty in Council on an Equal Footing; that as the Managers in Behalf of New York, have the Weight of Provincial Assistance in their Favour, the Parties affected in New Jersey without the like Assistance from this Province may probably be deprived of having a full and fair Representation of the Matter; and if, thro' any Defect in supporting the Cause of New Jersey, the line should finally be fixed at any Station on Delaware more Southerly than the Latitude of 41° 40′ or on Hudsons River more southerly than the Latitude of 41°, it will greatly affect the Peace and Interest of this Province, and will cut off the Possessions and Improvements of great Numbers of Persons who have ever been esteemed Inhabitants thereof and have paid Taxes and done all other Civil and military Duties in it from the year 1719 when the Station on Delaware River was fixed in the Latitude of 41° 40′ by Commissioners and Surveyors appointed by Virtue of Acts of Legislature of both Provinces.

At a Council held at Burlington on Tuesday Nov^{r} 21st 1769.

Present

His Excellency The Governor

The Hoñble { M^{r} Kemble, M^{r} Ogden, M^{r} J. Smith, M^{r} S. Smith, M^{r} Stockton }

His Excellency was pleased to Sign the following Warrants directing the Trears of this Province or either of them to pay for half a Years Salary ending this Day

		£	s.	d.
N° 373	To Himself or Order, as Commander in Chief the Sum of.....	600 „	0 „	0
374	To the same for House Rent.....	30 „	0 „	0
375	To the Chief Justice.....	75 „	0 „	0
376	To the Hoñble Charles Read Esq^{r} Second Justice.....	25 „	0 „	0
377	To the Hoñble John Berrien Esq^{r} third Justice.....	25 „	0 „	0
378	To the Hoñble Samuel Smith Esq^{r} one of the Treasurers.....	20 „	0 „	0
379	To Stephen Skinner Esq^{r} one of the Treasurers.....	20 „	0 „	0
380	To the Clerk of the Council.....	15 „	0 „	0
381	To the Attorney General.....	15 „	0 „	0
382	To the Clerk of the Circuits.....	10 „	0 „	0
383	To the Doorkeeper of the Council.....	5 „	0 „	0

At a Council held at Burlington on Wednesday Nov^{r} 22^{d} 1769.

Present

His Excellency William Franklin Esq^{r} Governor

The Hoñble { M^{r} Kemble, M^{r} Ogden, Lord Stirling, M^{r} Read, M^{r} J: Smith, M^{r} S. Smith, M^{r} Chief Justice, M^{r} Stockton }

His Excellency was pleased to nominate Joseph Riggs jun[r] and Matthias Williamson to be Judges of the Pleas in the County of Essex: Jonathan Sergeant to be a Judge of the Pleas in the County of Hunterdon: John Roy, Walter J. Livingston and Job Stockton to be Judges of the Pleas in the County of Somerset: Howell Powell to be a Judge of the Pleas in the County of Cumberland, and Alexander M[c]Ewen to be a Coroner in the County of Somerset, to all which the Council Assented.

His Excellency was also pleased to nominate the following Persons to be Justices of the Peace in the respective Counties hereunder mentioned to which the Council assented.

Sussex County
Archibald Stewart
William Norcross
Isaac Van Campen
John Barber
Henry Winter

Morris County
David Thompson

Essex County
Matthias Williamson Quo
Jonathan J. Dayton

Bergen County
Stephen Baldwin
Thomas Moore
Walling Van Winkle
John Zabrieskie jun[r]

Hunterdon County
Micajah Howe
Charles Coxe
Samuel Stout

Somerset County
Walter J. Livingston
Job Stockton
John Vanderveer
Guisbert Zutphen
Richard Cockran

Burlington County
Samuel Meredith
William Bryant

Middlesex County
Hezekiah Stites
Walter I. Livingston
Philip Stockton

It appearing to the Board that Henry Alwood Esq. one of the Justices of the Peace for the County of Somerset, hath basely asperced the character of Lord Stirling, one of His

Majesty's Council for this Province, and otherwise misbehaved so as to render him unfit to be continued in the Office of a Justice of the Peace, the Council advised his Excellency to remove him from his said office,

Whereupon his Excellency was pleased to Order a Supercedeas to Issue to Remove him accordingly.

His Excellency laid before the Board sundry Letters and other Papers relative to the Conduct of Jacob Stern Esq. one of the Judges of the inferior Court of Common Pleas in the County of Sussex and late Sheriff of the said County, whereby it appears that the said Jacob Starn is unfit to be continued in the said Office of a Judge; Whereupon the Council advised His Excellency to Order a Supercedeas to issue to remove the said Jacob Starn from the said Office.

At a Council held at Burlington on Friday Novemb^{r} 24th 1769.

Present

His Excellency William Franklin Esq^{r} Governor

The Hoñble	M^{r} Kemble	M^{r} S. Smith
	M^{r} Ogden	M^{r} Ladd
	Lord Stirling	M^{r} Ch. Justice
	M^{r} Read	M^{r} Stockton
	M^{r} J. Smith	

His Excellency laid before the Board the Petition of Hendrick Fisher Esq^{r} President of the Trustees of Queen's College in this Province praying that an Alteration may be made in the Charter granted to the said Trustees.

The Council having taken the same into Consideration, advised His Excellency to grant the Prayer of the said Petition, so far as Relates to the Distinction of Residents and Non Residents in the said Charter mentioned.

His Excellency was pleased to inform the Board that he had been requested to issue a Proclamation for the due Observance of an Act of the General Assembly of this Province

relative to the erecting Wears, Pounds &c in the River Delaware, and desired the Advice of the Council thereupon.

The Council having taken the same into Consideration, advised His Excellency to issue the said Proclamation, and His Excellency was pleased to Order the Dep^{t} Secretary to prepare a Draught of a Proclam^{n} for that purpose.

It being represented to His Excellency that the Names of some of the Members of His Majesty's Council are not inserted in Some of the County Commissions of the Peace in this Province; and as it may be inconvenient for the Counsellors to attend in such of the Counties to qualify under the said Commissions in which their Names are inserted; His Excellency with the Advice of the Council was pleased to Order the D: Secretary to prepare a Special Commission of the Peace to constitute the Members of His Majesty's Council (except the Chief Justice) Justices of the Peace throughout the Province, and that a Writ of Dedimus potestatem be issued to the Dep^{y} Secretary to qualify the said Members of the Council under the said General Commission as Conservators of the Peace only.

His Excellency laid before the Board the Draught of a Charter to incorporate the Trustees of the Baptist Congregation in Hopewell which being read and considered, the Council advised His Excellency to approve the Same.

His Excellency informed the Board that some Doubts had arisen respecting the Authority of the Governor to execute the Office of Chancellor in this Province, and desired the Opinion of the Council thereupon. The Council taking the same into Consideration, and conceiving it to be a matter of great Importance to the Interests of the Province in general, do advise that it be referred to the Consideration of a Committee of this Board.

Whereupon it is Ordered that M^{r} Ogden, M^{r} Read, M^{r} S. Smith, the Chief Justice and M^{r} Stockton be a Committee to consider the same and make their Report thereupon to this Board on or before the fourteenth Day of May next.

The Council were like wise of Opinion, and accordingly advised His Excellency that in the mean Time all Proceedings on the Equity Side of the Court of Chancery be suspended, to which His Excellency assented.

At a Council held at Burlington on Tuesday Nov^{r} 28th 1769

Present
His Excellency William Frankin Esq^{r} Governor.

The Hoñble { M^{r} Read, M^{r} J. Smith, M^{r} S. Smith } M^{r} Ladd, M^{r} Ch. Justice

His Excellency was pleased to sign the following Warrants ordering the Treasurers of this Province or either of them to pay.

		£ „ s „ d
N° 382	To the Hoñble Peter Kemble for 46 Days Attendance as one of His Majesty's Council at this Session of the General Assembly.....	13 „ 16 „ 0
N° 383	To the R^{t} Hoñble the Earl of Stirling for 27 Days like Attendance..	8 „ 2 „ 0
384	To the Hoñble David Ogden for 22 Days like Attendance, and for 29 Days the last Session.....	15 „ 6 „ 0
385	To James Parker for Printing the Laws & Votes of the last Session as p the Certificate of the Commissioners.....	83 „ 1 „ 3

His Excellency was pleased to Nominate John Carty and Daniel Hough to be Coroners in the County of Burlington to which the Council assented.

At a Council held at Burlington on Friday Decr 1st 1769.

Present
His Excellency William Franklin Esqr Governor.

Mr Read
Mr J. Smith Mr Ladd
Mr S. Smith Mr Chief Justice.

His Excellency was pleased to sign the following Warrant Ordering the Treasurers of this Province or either of them to pay.

	£ „ s „ d.
N° 386 To the Hoñble Richard Stockton Esqr for 54 Days Attendance as one of his Majesty's Council.....	16 „ 4 „ 0

At a Council held at Burlington on Saturday Decr 2d 1769.

Present
His Excellency William Franklin Esqr Governor

The Hoñble { Mr Read, Mr J. Smith, Mr S. Smith } Mr Ladd, Mr Chief Justice

His Excellency was pleased to communicate to the Council a Message he had received from the Assembly in the following Words.

"The House taking into Consideration the Office and Appointment of Coroners in the Several Counties of this Colony, after some Time spent therein,

"Ordered that Mr Leaming and Mr Berrien do wait on His Excellency and inform him that the House having taken the Office and Appointment of Coroners into consideration, are of opinion, that the said office is and ought to be Elective by Writ issuing from Time to Time as occasion may require.

That they are induced to be of this Opinion as well from the Common Law as divers Statutes; and that the Coroners ought to be of a Sufficient Estate to answer, as it appears to this House that the County is accountable and must answer for him; hence the Reasonableness of his being elected by the People, and "therefore that this House do request of His "Excellency that Writs may issue for the Electing of so "many Coroners in the several Counties of this Colony as "may be necessary, and so from Time to Time; and that this "House hope His Exeellency will grant this request not only "as they apprehend the Law is so, but also as it has been "heretofore and yet is the Practice in some Counties in this "Colony."

And desired the Advice of the Council thereupon.

The Council taking the same into consideration do advise His Excellency to take the Opinion of the Attorney General, whether the said Request can be granted consistent with His Majesty's Royal Prerogative.

The Council informed His Excellency that the Assembly had sent up a Bill to them to prescribe the Mode of Security to be given by the Trears of this Colony, which Bill was so framed in several Particulars that the Council could not give it their Assent, whereby the good purpose of the said Bill was likely to be frustrated. Whereupon

His Excellency laid before the Board a Bond which had been tendered to him by Stephen Skinner Esquire the Treasurer of the Eastern Division of this Province with two Sureties in the Sum of ten Thousand pounds with the following Condition.

"That if the above bounden Stephen Skinner doth well "and truly execute his Office as Treasurer of the Eastern "Division of the Colony of New Jersey, and that he his "Heirs Executors or Administers doth deliver up all the "public Money in his or their Hands, together with all In-"struments of Writing belonging to and for the Use of the "said Colony to his Successor in Office, when the same shall

"be lawfully demanded, and shall from Time to Time render "or cause to be rendered a true account of the publick Money "committed to his Charge to the Council & House of Rep- "resentatives when thereunto by them required, that then the "above Obligation shall be void and of no effect, otherwise to "remain in full force and Virtue."

And desired the Opinion of the Council whether he should accept the said Bond or not.

The Council taking the same into Consideration and deeming the Securities quite Sufficient, advised His Excellency to accept the said Bond, and the same being duly executed by the said Stephen Skinner, together with Cortland Skinner & John L Johnston his Sureties, was delivered to the Deputy Secretary to be put on Record and filed in the Secretary's office.

At a Council held at Burlington on Monday Dec^{r} 4th 1769.

Present
His Excellency the Governor

M^{r} Read	M^{r} Ladd
M^{r} J. Smith	M^{r} Parker
M^{r} S. Smith	The Ch. Justice

His Excellency laid before the Board a Bond, tendered to him, by Samuel Smith Esq^{r} Treasurer of the Western Division of this Colony, executed by the said Samuel Smith Esq^{r} Joseph Smith, & John Smith to His Majesty His Heirs and Successors in the Sum of ten Thousand pounds proclamation Money as it passes in West Jersey, with the following condition.

"That if the above bounden Samuel Smith doth well and "truly execute his Office as Treasurer of the Western Di- "vision of the Colony of New Jersey, and that he, his Heirs, "Executors or Administrators doth deliver up all the public "Money in his or their Hands together with all Instruments "of writing belonging to and for the use of the said Colony

"to his successor in Office and shall from Time to Time "render or cause to be rendered a true Account of the pub- "lick Money committed to his Charge to the Council and "House of Representatives when thereunto by them required, "that then the above Obligation to be void and of no Effect, "otherwise to remain in full Force and Virtue."

And desired the Opinion of the Council whether he should accept the said Bond or not.

The Council taking the same into Consideration, and deeming the securities quite Sufficient, advised His Excellency to accept the said Bond; and His Excellency was pleased to deliver the same to the Dep^{y} Secretary to be put on Record and filed in the Secretary's Office.

His Excellency laid before the Board the Draught of a Charter for incorporating "The Minister Church Wardens and Vestrymen of Trinity Church in the Town of Woodbridge" which was read and approved, and the Council advised His Excellency to cause the Great Seal to be affixed to the Said Charter.

His Excellency laid before the Board the Opinion of the Attorney General on the Message from the House of Assembly relative to the Appointment of Coroners, communicated to this Board on Saturday last, which was read and is as follows.

"I have considered the Authorities cited and divers others, "which I have noted, principally from L^{d} Cook[1] & 2^{d} Hale "53. in which the Election of Coroners for *Counties* as well "from Common Law as from Statute, is so established that I "apprehend it cannot be got over. The Usage in the Prov- "ince has been both by Commission and Writ, and the "Former most frequent, nevertheless the last seems most "eligible because agreeable to Law, the Words in the Grant "of this Colony are only descriptive of the Tenure (in "common Soccage not in Capite.) If it be said that the "Crown will interfere in Right of its Seigniory, as the Prov-

[1] Coke.

"ince is held under the Crown: without entering into any "Examination of this Seignory, it must be answered That "all the Lands in England are held under the King and the "Appointment of Coroners in England would be in the "Crown with as much Propriety yet the common Law is "otherwise, and the Stat. of Ed. 3d in the Exception can "mean no more than a saving to the Corporations and Fran- "chises within the several Counties, at the Same Time that "it confirms the choosing Coroners for the County, without "which Saving the Statute would affect the Coroners of the "Corporations, the Verge, the Admiralty and many Manors. "Upon the whole I am of Opinion that the Coroners of the "Counties Should be by Writ."

"CORTLAND SKINNER

His Excellency with the Advice of the Council, was pleased to Send a Message to the Assembly in the following Words

"Gentlemen, As your Message concerning the Appoint- "ment of Coroners respects a Point of Prerogative, and as "the Authorities, quoted from Law Books, which accom- "panied your Message, do by no means convince me that the "King is excluded from appointing those Officers in the Col- "onies, I cannot Suffer myself to acquiesce with your Request "on that Head without a farther Consideration of the Matter "than the Circumstances of this Session will now Admit of. "In the mean Time no Inconvenience can arise from the con- "tinuance of the antient Usage in this Province (which has "been deviated from in a few Instances only) as the Counties "cannot, as you Suppose, be answerable for the Coroner, but "where he is elected by the Freeholders, and as I shall make "no objection to appointing any Person to that Office who "may be properly recommended by the principal Freeholders "of any of the Counties."

His Excellency, with the Advice of the Council was pleased to send a Message to the House of Assembly in the Words following,

"Gentlemen,

"The Council and your House not agreeing on the Bill "prescribing the Mode of taking Security from the Treas- "urers of this Province, I think it necessary to inform you, "that the Treasurers have, of their own Accord, entered into "Bonds (with such Securities as were deemed Sufficient by "me and the Council) to the same Amount and on the like "Condition as mentioned in your Bill, which Bonds I have "by the Advice of the Council, received and ordered to be "deposited among the Records in the Secretary's Office"

At a Council held at Burlington on Wednesday December 6th 1769.

Present

His Excellency William Franklin Esqr Governour

Mr Read	Mr Ladd
Mr J. Smith	Mr Parker
Mr S. Smith	Mr Ch. Justice

His Excellency was pleased to Sign the following Warrants Ordering the Treasurers of this Province or either of them to pay.

		£	s	d
N° 387.	To the Honble Frederick Smyth Esqr Ch. Justice for 60 Days Attendance as One of His Majesty's Council and for holding the Circuit Courts in the Counties of Sussex, Essex and Monmouth since the 21st of May last—the Sum of.....	48 „	0 „	0
N° 388	To Jonathan Deare Esqr one of the Clerks of the Assembly for copying the Laws and Minutes of the Session of Assembly in the Year 1768, and entering the Votes in the Journal of the House of Assembly.....	15 „	18 „	8

389.	To Richard Smith Esq^{r} One of the Clerks of the Assembly for 58 Days Attendance this Session and for extra Services as allowed by the Support Bill.....	49 „	0 „	0
390	To the Hoñble Charles Read Esq^{r} for 58 Days Attendance as One of His Majesty's Council.....	17 „	8 „	0
391	To the Hoñble John Smith Esq^{r} 58 Days in like Manner.....	17 „	8 „	0
392	To the Hoñble John Stevens Esq^{r} 22 Days in like Manner.....	6 „	12 „	0
393	To the Hoñble Sam^{l} Smith Esq^{r} for 58 Days in like Manner.....	17 „	8 „	0
394	To the Hoñble John Ladd Esq^{r} for 60 Days in like Manner.....	18 „	0 „	0
395	To the Hon^{ble} Ja^{s} Parker Esq^{r} for 40 Days in like Manner.....	12 „	0 „	0

His Excellency was pleased to Nominate James Hinchman, George Vanlear, Samuel Spicer, Isaac Mickle, Samuel Risley and Isaac Kay, to be Justices of the Peace in the County of Gloucester, to which the Council assented.

His Excellency with the Advice of the Council was pleased to Order a new Commission of the Peace for the County of Gloucester, and that the Names of the above mentioned Gentlemen be inserted therein

His Excellency with the Advice of the Council was pleased to issue the following Proclamation

By his Excellency

William Franklin, Esq. Captain General, Governor and Commander in Chief in and over the Province of New Jersey, and Territories thereon depending in America, Chancellor and Vice Admiral of the same &c

A Proclamation

Whereas in and by an Act of the General Assembly of this Province, passed in the fifth year of his present Majesty's Reign, entituled "An Act to regulate the Method of taking "Fish in the River Delaware, and to prevent Obstructions "in the Navigation thereof, and for other Purposes therein "mentioned," it is, amongst other things, enacted, that any Person or Persons whatsoever, from and after the Publication thereof, shall erect, build, Set up, repair or maintain, or be aiding, assisting or abetting in erecting, building, Setting up, repairing or maintaining, any Wear, Rack, Basket, Fishing Dam, Pound, or other device whatsoever, for taking of Fish within the said River, or that shall fix or fasten any Net or Nets across, or in the said River, or any part thereof, by which the Fish may be obstructed in going up the said River, or Shall take, destroy, or Spoil any Spawn, Fry or Brood of Fish, or any kind of Fish whatsoever in any such Wear, Rack, Basket, Fishing Dam, Pound, or other Device aforesaid, every such Person or Persons so offending, contrary to the true Intent and meaning of the said Act, being legally convicted thereof, Shall forfeit and pay the Sum of Twenty Pounds, Proclamation Money, for every such Offence (one moiety to be paid to the Informer or Prosecutor, the other moiety to the Overseers of the Highways of the Township or City where such Offender shall reside) or Suffer Six months Imprisonment, without Bail or Main prize, and every such Wear, Rack, Basket, Fishing Dam, Pound Net or other Device, fastened across, or in the said River, are, by the said Act, declared public Nusances.

And whereas for the more Speedy Removal of such Wears, Racks, Baskets, Fishing Dams, Pounds and other Devices, as are, or shall be erected in the said River, it is, in and by the said Act further enacted, "That any one Justice of the Peace, in any of the Counties adjoining to the said River, shall issue his Warrant to the Overseers of the Highways of the Township next adjacent to the Wear, Rack, Fishing

Dam, Pound, or other Device, so erected, requiring the said Overseers respectively, forthwith to cause the same to be removed, and the said Overseers are, by the said Act, impowered and required to Summon so many of the Inhabitants of their respective Townships as shall be Sufficient for that Purpose, giving them Three Days Notice, and to make Return of such their Proceedings to the next Court of General Quarter Sessions of the Peace to be holden for their respective Counties, and that if any Overseer of the Highways, to whom such Warrant shall be directed, shall refuse or neglect to perform the Duty by the said Act enjoined and required, he shall, on Conviction, forfeit and pay the Sum of Ten pounds, for the Use of the Highways in the Township where he shall reside; and that if any inhabitant, so Summoned as aforesaid, shall neglect or refuse to attend in Person, or Send an able Person in his Stead, to assist in the throwing down, removing and destroying such Wear, Rack, Fishing Dam, Basket, Pound, or other Device, so erected as aforesaid, in such Manner as the said Overseer shall direct, he shall forfeit and pay the Sum of Ten Shillings. And to prevent any Delay that may happen through Default of any of the said Justices, Overseers or other Persons, it is farther enacted, "That it shall be lawful for any Person or Persons whatsoever to break, throw down, remove and destroy all or any Wears, Fishing Dams, Rack, Basket, Pound or other Device or Devices, erected or to be erected, or laid in the said River, for catching the Fish, or obstructing the Navigation as aforesaid, and that any Person convicted of assaulting, hindering or obstructing any Person or Persons in pulling down, breaking, removing or destroying, any of the said Devices or Obstructions in the said River, Shall, for every such Offence, forfeit and Pay the Sum of Five Pounds.

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And for the more effectual detecting and punishing Offenders against the said Act, it is therein farther enacted and declared, "That the Constables of each respective Township, adjoining to any Part of the said River, Shall, and they are thereby required and enjoined, under the Penalty of Five

Pounds, carefully and diligently to inspect and view, once at least, in every 14 Days, from the first Day of March, to the first Day of December, in every Year, such Parts of the said River as shall be adjoining to their respective Townships, and having Knowledge of any Offences against the said Act, forthwith to give Information thereof to some Justice of the Peace, and of the Name or Names of the Offenders, and the said Justice is thereby required to issue his Warrant, directed to the Constables, to apprehend the said Offender or Offenders, in Order that he or they may be tried for the said Offence."

And it is farther enacted and declared, in and by the said Act, "That from and after the first Day of March 1767. it shall not be lawful for any Person or Persons whatsoever, to fish in the said River, with any Seine or Net, the Meshes whereof shall be found to be less than two Inches and a Half, when extended, under the Penalty of Five Pounds."

In order therefore that the good Intentions of the said Act, may be fulfilled, and that no Person whatsoever may plead Ignorance of the Same, I have thought fit, by and with the Advice and Consent of His Majesty's Council, to issue this Proclamation, hereby commanding and Strictly requiring all Justices of the Peace, Constables, Overseers of the Highways, and all other Persons, whatsoever, to whom the Execution of the said Act is intrusted, to be careful and vigilant in the Duties therein required of them, as they will answer the contrary at their Peril.

Given under my Hand and Seal at Arms, in the City of Burlington, this Fifth Day of December in the Tenth Year of His Majesty's Reign Annoque Domini One Thousand Seven Hundred and Sixty nine.

WILLIAM FRANKLIN

By his Excellency's Command
CHARLES PETTIT, D, Secretary.

A true Copy of the Minutes of the Privy Council of New Jersey

CHA PETTIT D Clerk

[L. S.]

A Journal of the Proceedings of His Majesty's Council for the Province of New Jersey at a Session of the General Assembly of the said Province began and held at Burlington on Wednesday October 11th 1769.

Pursuant to several Prorogations the House met

Present

The Hoñble { John Smith, Samuel Smith, John Ladd } Esquires

His Excellency came into Council and having by the Deputy Secretary informed the House of Representatives that he was ready to receive the presentation of their Speaker the House[1] attended and presented Cortland Skinner Esquire as their Speaker, which his Excellency was pleased to approve after which the Speaker requested that the House might be continued in their usual Priviledges, of which his Excellency gave them assurances.

Then his Excellency was pleased to make the following Speech to both Houses.

Gentlemen of the Council and Gentlemen of the House of Representatives. "As no immediate Business of a publick nature made it necessary to give an earlier commencement to the present Session I postponed the pleasure of meeting you

[1] The members of the Twenty-first Assembly were as follows: *Perth Amboy*—Cortland Skinner, John L. Johnson; *Middlesex*—John Wetherill, Reune Runyon; *Monmouth*—Robert Hartshorne, Edward Taylor; *Essex*—John Ogden, Stephen Crane; *Somerset*—Hendrick Fisher, John Berrien; *Bergen*—Theunis Dey, John Demarest; *City of Burlington*—Abraham Hewlings, Joseph Smith; *County of Burlington*—Henry Paxson, Joseph Bullock; *Gloucester*—Robert Friend Price, John Hinchman; *Salem*—Ebenezer Miller, Isaac Sharp; *Cape May*—Aaron Leaming, Nicholas Stillwell; *Hunterdon*—John Hart, Samuel Tucker. Of the foregoing, Isaac Sharp died, and Grant Gibbons was chosen to fill his place; Nicholas Stillwell also died and was succeeded by Jonathan Hand.

in general Assembly till a Season that was likely to be most agreeable, as well as most convenient to your private affairs.

At the last Session a Bill passed both the Council and Assembly for making current One hundred thousand pounds in Bills of Credit, which was so framed that I was under a necessity of refusing it my Assent being however of Opinion that the Emitting of such a sum of paper Money upon Loan might be of great publick Utility, and unwilling that there should be any unnecessary delay, in a matter of such Importance I strongly represented the Expediency of passing an Act for the purpose, and transmitted a Draught of the Bill to the Secretary of State for the American Department, in order to obtain the Kings pleasure thereupon. The Directions I have since received from his Majesty shall be communicated to you, by which you will find that in Case the Actual necessity of Emitting Bills of Credit upon Loan to the Amount of One hundred thousand pounds can be made to appear, and provided effectual Care be taken that such Bills shall not be deemed a legal Tender in payment of Money, there is the greatest probability that an Act of this nature under proper limitations will meet with his Majestys most gracious approbation.[1]

Having received Advice from the Honourable S[r] William Johnson Baronet, his Majesty's Superintendant for Indian Affairs, that a Treaty was to be held with the Six Nations, by his Majestys Order for settling a Boundary Line between them and the British Northern Colonies, and it being the Opinion of the Council for the Reasons set forth in their Minutes, that my presence at the Treaty would be likely to Answer very good purposes to the Province: I accordingly attended the Conferrence at Fort Stanwix, accompanied by M[r] Chief Justice, who at my request willingly undertook the Service."[2]

"An account of the Transactions there so far as they particularly relate to New Jersey, will be laid before you and

[1] See N. J. Archives, X., 60, 99, 103.
[2] See N. J. Archives, X., 54, 55, 95.

I hope will prove Satisfactory The six Nations at the Grand Meeting besides having finally agreed on a general Boundary between them and the Northern Colonies have publickly acknowledged the repeated instances of our Justice in bringing the Murderers of Indians to Condign Punishment declared that they have no Claim or Demand on this Province, whatever, and in the most Solemn manner conferred on the Government of New Jersey the distinguishing name of Sagorighwiyogstha or the great Arbiter or doer of Justice a name which at the same time that it reflects high Honour on the province may prove a singular Advantage to the Inhabitants on our Frontiers—should a misunderstanding arise between the Indians and any of the neighbouring Colonies.

It gives me great concern to mention to you the Robbery of the Treasury of the Eastern Division and the more so as it is not in my power tho' so long a time has since Elapsed to inform you who were the perpetrators of that atrocious Villiany, or what has become of the Moneys every step however has been taken on the part of Government which had any chance of producing a discovery, as I believe you will do the Justice to Acknowledge when you have perused the papers relative to that Transaction If any expedient can be suggested which may have a Tendency to secure the Province from the like disaster, in future, it will not fail of meeting my most hearty Concurrence.

Gentlemen of the House of Representatives. The Act for the Support of Government being expired, and the money granted for the furnishing the Kings Troops here with necessarys being expended, I must earnestly recommend it to you to grant a farther supply for their purposes. As there are strong Reasons for expecting that the late Duty Act which has given such general dissatisfaction to his Majestys subjects in the Colonies will be repealed in the ensuing Session of Parliament, I cannot but flatter myself that the Representatives of the good People of this Province will conduct them-

selves with such Wisdom and Prudence at this Critical time as to avoid every matter which may in the smallest degree tend to widen or continue the unhappy differences subsisting between the two Countries, and that they will by every means in their Power manifest a sincere disposition to promote the Re-Establishment of that Mutual Confidence and Affection so Essential to the Glory and Safety of the whole British Empire.

Gentlemen of the Council, and Gentlemen of the House of Representatives.

The Many Advantages derived to this province from the Harmony which has for some years passed prevailed among the several Branches of the Legislature, give me the greatest reason to expect a Continuance of it during the present Session. You may always rest assured that I shall cheerfully co-operate with you in whatever may be for his Majestys service or the Publick Welfare.

Council Chamber October 11th 1769.

Wm Franklin.

The House Continued till Thursday October 12th 1769.

The House Met

Present

The Hoñble { Charles Read, John Smith, Samuel Smith, John Ladd, Richard Stockton } Esquires

A Petition was presented to the House from William Bayard Esq[1] setting forth that a Suit was now pending in the Supreme Court of this province respecting certain Lands in the County of Bergen included in the patent of Secaucus in

[1] See Bayard's petition, N. J. Archives, X., 168.

which the Petitioner is Defendant, and being informed that some persons interested therein intend to apply to the Legislature of this Colony to pass a Law to effect a Division of said Lands, it is thereby prayed that no Bill of that nature may pass this House, for the reasons therein mentioned.

Ordered, that the same be read

The House Continued till Saturday October 14th 1769.

The House Met

Present.

The Hoñble { Peter Kemble. / John Smith. / Samuel Smith. / Fred: Smyth. } Esquires

His Excellencys Speech to both Houses being read. It is ordered that Mr John Smith, Mr Ladd, and Mr Stockton, or any two of them do prepare a Draught of an Address to his Excellency from this House, in Answer thereto, and make report thereof

The House Continued till Monday October 16th 1769.

The House met.

Present.

The Hoñble { Peter Kemble / John Smith / Samuel Smith } Esquires

The House Continued till Tuesday October 17th 1769.

The House met

Present

The Hoñble { Peter Kemble / John Smith / Samuel Smith } Esquires

Mr Fisher and Mr Johnston from the House of Assembly presented for the Concurrence of this House a Bill Entituled an Act to prohibit the setting Nets, Seins, and other Devices in the Rivers Rariton and South River &c which was read the first time and ordered a Second Reading.

The House Continued till 3 o'clock P. M.

The House met

Present

The Honble { Peter Kemble, Charles Read, John Smith, Samuel Smith } Esquires

His Excellency came into Council, and having by the Clerk of the Council informed the House of Assembly that he was in the Council Chamber and ready to receive their Address. The Speaker with the House of Assembly attended and delivered their Address in the following words.

To his Excellency William Franklin Esquire Captain General, Governor and Commander in Chief in and over the Colony of New Jersey and Territories thereon depending in America, Chancellor and Vice Admiral in the same &c.

The Humble Address of the Representatives of the said Colony in General Assembly convened

May it please your Excellency

We his Majestys dutifull and Loyall Subjects the Representatives of the Colony of New Jersey in General Assembly met, beg leave to return your Excellency our hearty thanks for your favourable Speech.

As no material Inconvenience to the Colony seems to have attended the delay, We thank your Excellency for postponing calling the Assembly to a time convenient to our private affairs.

The pains your Excellency has taken in so strongly repre-

senting to his Majesty's Ministers the great publick utility you apprehended would attend the immediately issuing a Sum of Money in Bills of Credit on Loan, merits our warmest Acknowledgements and convinces us of your good Intentions respecting a Measure so generally desired by the good people of this Colony. The Terms proposed by his Majestys Ministers appear to be particularly hard. we shall however give the matter our most Serious Consideration, and if any Expedient can be devised by which a Loan Office Bill may be obtained, so as to answer the desired purposes of a Currency without inconveniences that will over Ballance the Good that can be expected we shall most heartily embrace it.

The settling a Boundary Line between the Indian and the British Northern Colonies was undoubtedly an Object worthy of his Majesty's Attention, and it is very satisfactory to this House that your Excellency with M^r^ Chief Justice attended the Conference at Fort Stanwix, which has given the Indians an opportunity of Testifying their sense of the Justice of this Colony towards them, by complimenting your Excellency with the name of Sagorighwiyogstha, or the great Arbitor or doer of Justice.

The Robbery of the Publick Treasury at Amboy is a matter of Importance to this province, and it gives us great Concern that tho so long a time hath elapsed no discovery is yet made of the atrocious perpetrators of that Villiany, satisfied however of the Early care of Government, and of your Excellency's particular Endeavors in that respect, We shall proceed to examine the papers relating thereto, laid before us by your Excellency, together with every other particular that may come to our Knowledge and with all possible attention and in faithfull discharge of the Trust reposed in us, do what shall appear to us consistent with the strictest Impartiality and publick Justice not doubting your Excellencys readiness to Comply with any Expedient that may be suggested, which may have a Tendency to secure the Colony from the like disaster in future.

As the Representatives of the People of this Colony have

always cheerfully supported this his Majestys Government, we shall not be wanting on our parts to make a suitable provision for that purpose, and shall pay all due regard to the other parts of your Excellencys Speech.

Your Excellencys Declaration that there are the strongest reasons to expect the late Duty Acts will be repealed in the Ensuing Session of Parliament affords great pleasure to us. We hope no Transaction of this House will in the least tend to Widen or Continue the unhappy differences subsisting between Great Britain and the Colonies and sincerely wish a Re-Establishment of that Mutual Confidence and Affection so essential to the Glory and safety of the whole British Empire, and shall not fail to promote such a disposition with respect to this Colony by all means consistent with our Duty to our Constituents, and a due regard to all our just rights and privileges

Seeing the happy Effects we are convinced of the many advantages derived from a perfect Harmony subsisting between the different Branches of the Legislature in transacting the Publick Business; nothing on our parts shall be wanting to promote so good a purpose, and we hope our Conduct on all occasions will demonstrate a disposition most chearfully to co-operate with your Excellency in whatever may conduce to the general welfare.

House of Assembly } Signed by order of the House
Oct 17th 1769. } CORTLAND SKINNER Speaker.

To which his Excellency was pleased to return the following answer.

Gentlemen, I heartily thank you for this Address. The Acknowledgements and satisfaction you have expressed, and the Assurances you have given, respecting the several Matters mentioned in my Speech afford me particular pleasure as they indicate a disposition the most likely to be productive of Advantage to your Country.

The House Continued till Wednesday October 18th 1769.

The House met

Present.

The Hoñble { Peter Kemble, Charles Read, John Smith, Samuel Smith, Richard Stockton. } Esquires

Mr John Smith from the Committee appointed to prepare a Draught of an Address to his Excellency reported that they had prepared the Draught of an Address accordingly, which he delivered in and the same being read was approved of by the House.

Ordered that the same be Engrossed.

The Engrossed Address to his Excellency being read. Ordered that the Speaker do sign the same. Ordered that Mr Samuel Smith and Mr Stockton do wait on the Governor and acquaint him that they have agreed on an Address to his Excellency, and desire to know when his Excellency will be pleased to receive the same.

The Bill Entituled an Act to prohibit the setting Nets Seins and other Devices in the Rivers Rariton & South River &c was read a second time and ordered a third reading.

Mr Samuel Smith and Mr Stockton returned and reported that they had Obeyed the above Order, and that his Excellency was pleased to say he would let the House Know when he would be ready to receive their Address.

A Message from the Assembly in the words following. "Ordered that Mr Fisher, Mr Wetherill, Mr Miller, Mr "Hart, Mr Hartshorne, and Mr Price, or any three of them "be a Committee to join a Committee of the Council, to "settle the Eastern and Western Treasurers Accounts, and "burn the Cancelled Money in the Hands of the Western "Treasurer, and make report to the House. And that Mr "Johnston and Mr Hewlings, do inform the Council thereof, "and desire the Council to appoint a Committee for that pur-"pose, together with the time and Place of Meeting."

His Excellency having signified to the Council that he was ready to receive their Address the House waited upon his Excellency and delivered their Address in the following words.

To his Excellency William Franklin Esquire Captain General Governor and Commander in Chief in and over the province of New Jersey and Territories thereon depending in America, Chancellor and Vice Admiral in the same &c

The Humble Address of his Majestys Council of the said Province.

May it please your Excellency.

The Attention which your Excellency has shown to the true Interest of this Province in the several Important instances mentioned in your Speech at the opening of this Session, claims our warmest Acknowledgements.

Your Knowledge of the many Inconveniencies which the People under your Government are subjected to by the want of an Emission of Paper Currency, both as a Medium of Commerce, and to assist them to pay for, and improve their Lands having enabled you to become an Advocate for their obtaining such Relief, as may be in some Measure adequate to their necessities. We hope the Continuance of your Kind and just representations to our most gracious Sovereign will speedily be crowned with such Success as we are Convinced must be extremely agreeable to the province.

We are well pleased that your attendance at the Treaty at Fort Stanwix has been so Evidently productive of the desired Effects, and that the Indians are perfectly satisfied of the Justice and Honour of this Government in all Publick Transactions with them, and that all those who have had any Connection with this province as well as in any other nation are thoroughly convinced that no Indians whatever can have any future Claim upon us: which must eventually contribute greatly to the Peace of the Province in General, and to the particular security of our Frontier Inhabitants in all future times.

The Ardour with which your Excellency hath pursued every step which seemed likely to produce a discovery of the perpetrators of the villianous Robbery, committed on the Eastern Treasury hath given us great pleasure, and We assure you we shall most heartily continue to assist your Excellency with our utmost Endeavors to effect this important purpose, and join in every reasonable proposal for the further Security of the Publick Money.

Your Excellencys recommendation of Harmony to the several Branches of the Legislature and to avoid every thing which might tend to widen the unhappy differences subsisting between Great Britain and her Colonies shall on our part be carefully attended to, and We return you our hearty thanks for your assurances of chearfully co-operating in every measure proposed for his Majesty's Service or the Publick welfare.

Council Chamber } Signed by order of the House
October 18th 1769. } PETER KEMBLE Speaker

To which his Excellency was pleased to return the following Answer.

Gentlemen.

Be pleased to accept my best thanks for this Address. I receive with great Satisfaction your approbation of my Conduct, and have the firmest reliance upon the assurances you give me.

The House Continued till Thursday October 19th 1769.

The House met.

Present

The Honble { Peter Kemble, Charles Read, John Smith, Samuel Smith, Richard Stockton. } Esquires

The Bill Entituled an Act to prohibit the Setting Nets, Seins, and other Devices in the Rivers Rariton and South River to obstruct the Fish going up in the proper Seasons of the year, and to preserve the Fry and young Brood of Fish from being destroyed in the said Rivers having been read a third time

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that M^{r} Read do acquaint the House of Assembly therewith.

The House Continued till Friday the 20th October 1769.

The House met.

Present

The Hoñble { Peter Kemble, Charles Read, John Smith, Samuel Smith, James Parker, Richard Stockton } Esq^{rs}

The House Continued till Saturday 21st October 1769

The House met.

Present.

The Hoñble { Peter Kemble, Charles Read, John Smith, Samuel Smith, James Parker, Richard Stockton } Esquires

M^{r} Pearson and M^{r} Smith from the House of Assembly presented for the Concurrence of this House a Bill Entituled an Act for laying a Duty on the purchasers of Slaves imported into this Colony.

A Message from the House of Assembly in the following words.

"Ordered, that Mr Paxson, and Mr Smith do inform the "Council that Aaron Leaming Esq is added to the Commit- "tee of this House, for settling the Treasurers Accounts"

The Bill Entituled an Act for laying a Duty on the purchasers of Slaves imported into this Colony was read the first time and ordered a Second Reading.

Mr Read reported that he had obeyed the Order of the House of the 19th instant.

The House Continued till Monday 23d October 1769.

The House met

Present.

The Hoñble { Peter Kemble, Charles Read, John Smith, John Stevens, Samuel Smith, James Parker } Esquires.

The Bill Entituled An Act for laying a Duty on the purchasers of Slaves imported into this Colony was read a Second time and committed to the Members of this House or any three of them.

The House Continued till Tuesday 24th October 1769.

The House met

Present.

Peter Kemble.

The Hoñble { Charles Read, John Smith, John Stevens, Samuel Smith, John Ladd, Richard Stockton } Esqrs

Ordered, that Mr Stevens, Mr Ladd, and Mr Stockton or any two of them be a Committee to join a Committee of the House of Assembly to Settle the Eastern and Western Treas-

urers Accounts and burn the cancelled Money in the Hands of the Western Treasurer, and that the said Committee meet for that purpose at the House of Mr Treasurer Smith to morrow morning at 9 o'Clock, and that Mr John Smith do acquaint the House of Assembly therewith.

Mr Day and Mr Demarest presented for the concurrence of this House a Bill Entituled an Act to Amend An Act appointing Commissioners for finally settling and determining the several Rights, Titles and Claims to the Common Lands of the Township of Bergen &c, with sundry Petitions and Vouchers; which were read the first time and ordered a Second reading.

Mr Stockton from the Committee to whom was referred the Bill Entituled an Act for laying a Duty on the purchasers of Slaves imported into this Colony, reported that the Committee had gone through the same and made several Amendments, which he was ready to report when the House would be pleased to receive the same.

Ordered that the said report be made immediately. Mr Stockton read the said Amendments in his place and delivered them in at the Table, and the same being read a Second time, were agreed to by the House and ordered to be Engrossed.

The House Continued till 3 o'Clock P. M.

The House met

Present.

Peter Kemble

The Hoñble { Charles Read, John Smith, John Stevens, Samuel Smith, John Ladd, Richard Stockton } Esqrs

Mr John Smith reported that he had Obeyed the Order of the House of this Morning.

The Engrossed Amendments to the Bill Entituled An Act

for laying a Duty on the purchasers of Slaves Imported into this Colony being read and Compared

Ordered that the Speaker do sign the same.

The Bill Entituled An Act for laying a Duty on the purchasers of Slaves imported into this Colony, having been read a third time, with the Amendments thereto annexed

On the Question

Resolved, that the same as Amended do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Stockton do carry the same Bill and Amendments to the House of Assembly, and desire their Concurrence to the said Amendments.

The House Continued till Wednesday 25th October 1769

The House met Present

The Honble	Peter Kemble	Samuel Smith	Esqrs
	Charles Read	John Ladd	
	John Smith	James Parker	
	John Stevens	Richard Stockton	

The House Continued till Thursday 26th October 1769

The House met

Present

The Honble	Peter Kemble	Samuel Smith	Esqrs
	Charles Read	John Ladd	
	John Smith	James Parker	
	John Stevens	Richard Stockton	

Mr Stockton reported that he had obeyed the Order of the House of the 24th Instant

The House Continued till 3 o'clock P. M.

The House met

Present

Peter Kemble

The Hoñble { Charles Read, John Ladd, John Smith, James Parker, John Stevens, Fred: Smyth, Samuel Smith, Richd Stockton } Esqrs

The House Continued till Friday 27th October 1769

The House met

Present

Peter Kemble

The Hoñble { Charles Read, John Ladd, John Smith, James Parker, John Stevens, Fred: Smyth, Samuel Smith, Richd Stockton } Esqrs

The House Continued till 3 o'Clock P. M.

Present

Peter Kemble

The Hoñble { Charles Read, John Ladd, John Smith, James Parker, John Stevens, Fred: Smyth, Samuel Smith, Richd Stockton } Esqrs

A Petition from Mary Pinhorne relative to the Common Lands belonging to the Island of Secaucus in the County of Bergen praying that Commissioners may be appointed for the subdivision of said Commons was read the first time and Ordered a second reading.

The Bill Entituled an Act to Amend an Act Entituled An Act appointing Commissioners for finally settling and determining the several, Rights, Titles &c of the Common Lands

of the Township of Bergen and making Partition thereof &c—was read the Second time Ordered that the same be committed to the members of this House or any three of them.

The House Continued till Saturday 28th October 1769

The House met

Present

Peter Kemble

The Hoñble { Charles Read, John Ladd; John Smith, James Parker; John Stevens, Fred: Smyth; Samuel Smith, Richd Stockton } Esqrs

The House Continued till Monday 30th October 1769

The House met

Present

The Hoñble { Peter Kemble, Samuel Smith; Charles Read, James Parker; John Smith, Fred: Smith. } Esqrs

A Petition from Michael Henderson praying for certain Reasons therein mentioned that he might be admitted to the Benefit of an Insolvent Act, which was read the first time and ordered a Second reading.

The House Continued till 3 o'Clock P. M.

The House met

Present

The Hoñble { Peter Kemble, Samuel Smith; Charles Read, James Parker; John Smith, Fred: Smyth. } Esqrs

The House resumed the Consideration of the Amendments to the Bill Entituled An Act for laying a Duty on the pur-

chasers of Slaves Imported into this Colony, which being read in their Places.

On the Question

Resolved, that this House do agree to the first and Second Amendment, and also to the first Clause of the third Amendment, and to the Second, third, and fourth Sections of the third Amendment, with the following. Amendments to the Amendments of the Council viz^{t} 1st Section 2^{d} Line 5th leave out the words *above the age of thirty years*, 2^{d} Section, 2^{d} Line 11th instead of the word one insert *the word two.*

"Ordered that M^{r} Fisher, and Mr Paxson do carry back the said Bill with the Councils Amendments, to the Council and Acquaint them that this House hath agreed to the several Amendments made by the Council with two Amendments made by this House, and desire the Concurrence of the Council."

Which said Amendments having been twice read.

Resolved that this House do agree to the same, and order the said Bill to be Engrossed as Amended.

M^{r} Hinchman, and M^{r} Sharp from the House of Assembly presented for the Concurrence of this House a Bill Entituled An Act to Enable the Owners and Possessors of the Meadows and Marshes bounding on Delaware River between the Lands of John Mecon, and Allen Congleton, &c and also a Bill Entituled An Act to Enable sundry of the Owners and Possessors of Meadows or Tide Marsh lying on Newton Creek to Erect and maintain a Bank, Dam, and other Water Works &c, which were read the first time and ordered a Second Reading.

The House Continued till Tuesday 31st October 1769

The House met

Present

Peter Kemble

The Hoñble { Charles Read, John Smith, John Stevens, Samuel Smith, James Parker, Fred: Smyth } Esq^{rs}

The Bill Entituled An Act to Enable the Owners and Possessors of the Meadows &c on Delaware River in Lower Penns Neck to stop out the Tide from overflowing the same; And Also the Bill Entituled An Act to Enable sundry of the Owners and possessors of Meadows or Tide Marsh on Newton Creek to Erect and maintain a Bank &c were read a Second time, and ordered a third reading; at the same time the Petitions and publick Notices of each of the said Bills were read, by which it appears that due Notice has been given of the Intention of the Petitioners respecting said Bills.

The House Continued till 3 o'Clock P. M.

The House met

Present

The Honble { Peter Kemble, Samuel Smith, Charles Read, James Parker, John Smith, Fred : Smyth, John Stevens, Rich[d] Stockton } Esq[rs]

The Bill Entituled an act to Enable the Owners of the Meadows &c on Delaware River in Lower Penns Neck &c to stop out the Tide from overflowing the same, being read the third time

On the Question

Resolved, that the same do pass

Ordered that the Speaker do sign the same

The Bill Entituled an Act to Enable sundry of the Owners and Possessors of Meadows and Tide Marsh on Newton Creek to Erect and maintain a Bank &c being read the third time

On the Question

Resolved, that the same do pass.

Ordered that the Speaker do Sign the Same

The House Continued till Wednesday November 1[st] 1769.

The House met

Present

	Peter Kemble	Samuel Smith	
The Hoñble	Charles Read	James Parker	Esq^{rs}
	John Smith	Fred: Smyth	
	John Stevens	Rich^{d} Stockton	

The House Continued till Thursday November 2^{d} 1769

The House met

Present

Peter Kemble

The Hoñble	Charles Read	John Ladd	Esq^{rs}
	John Smith	James Parker	
	John Stevens	Fred: Smyth	
	Samuel Smith	Rich^{d} Stockton	

The Engrossed Bill Entituled An Act for laying a Duty on the purchasers of Slaves imported into this Colony, was read and compared, and by Order of the House signed by the Speaker.

Ordered, that M^{r} Parker do carry the same to the House of Assembly with the former Bill and Amendments of both Houses, and acquaint them that this House have agreed to their Amendments of the Amendments of this House, and have engrossed, examined and signed the same, in order that the same be examined by the House of Assembly and signed by their Speaker. And that M^{r} Parker do acquaint the House of Assembly that this House have passed the two last mentioned Bills without any Amendments.

M^{r} Parker reported that he had obeyed the foregoing Order of the House.

M^{r} Hewlings, and M^{r} Bullock from the House of Assembly presented to this House the Re-engrossed Bill with the Councils Amendments together with the Amendments made thereto by the House of Representatives, Entituled An Act for laying a Duty on the purchasers of Slaves imported into this Colony signed by the Speaker of the House of Assembly.

Mr Stevens from the Committee appointed to meet a Committee of the House of Assembly to settle the Treasurers Accounts, reported that the said Committee had met according to appointment, and had settled and stated the Account of Andrew Drummond and Company, And Also the Western Treasurers Accounts, and had burned the Cancelled Money in the Western Treasurers Hands, which Accounts respectively he was ready to report when the House would be pleased to receive the same.

Ordered, that the said report be made immediately Whereupon, Mr Stevens read the said Accounts in his place, and delivered them in at the Table, and the House having read and Considered the same.

On the Question, approved thereof.

Ordered, that the said Accounts be entered at length on the Journals of this House, and are as follows. viz:

Dr Andrew Drummond & Company of London to the Province of New Jersey Cr.

On Account of Monies granted by Parliament to the Colonies

To Cash they reced of the Lords Commissrs of the Treasury, being the proportion due to this Province, out of the first Sum granted by Parliamt to the Colonies, as ℔ their Letter Augst 23d 1760,	9166	„ — „ —	By Fees to Clks. & other Charges on receiving the first Sum as ℔ their Letter Dated August 23d 1760.....	52	„ 16 „ 6
To ditto out of the Second Sum as ℔ their Letter dated 10th April 1762..	9484	„ 2 „ 4	By do do on receiving the Second Sum as ℔ Letter dated 10th April 1762	22	„ 18 „ 4
To ditto out of the third Sum as ℔ their Letter dated 14th August 1762.....	8861	„ 12 „ —	By do do on receiving the third Sum as ℔ Letter dated August 14th 1762	20	„ 13 „ 8

To ditto out of the fourth Sum as ℔ their Letter & the acct dated April 14th 1764..	12394	11	4
To ditto out of the fifth Sum as ℔ their Letter & the Acct dated Augst 11. 1764.....	4567	16	4
	44474	2	—
To a Bill remitted by S. Smith Esq. in pursuance of an Act of Assembly	67	16	4
	£44541	18	4

By do do on receiving the fourth Sum as ℔ Letter & Acct dated 14th April 1764.....	25	15	5
By do do on receiving the fifth Sum, as ℔ Acct dated August 11th 1764.....	23	19	2
	146	3	1
By Bills of Exchange drawn by S. Smith Esq Western Treasurer 23	246	7	0½
By Bills of Exchange drawn by A. Johnston & Stepn Skinner Esqrs Eastern Treasurers 21	081	11	10½
	44474	2	—
By Interest on the Exchequer Tallies which We Credited the Province, but was afterwards Obliged to repay See Letter dated 9th February 1765. Alsō Act of Assembly.....	67	16	4
	£44541	18	4

Errors Excepted Novr 2d 1769

By Order of the Committees

Jn° Stevens

Aaron Leaming

Dr Samuel Smith Esqr Treasurer Parliamentary Donation Acct Cr

To Amount of the proportion drawn for by the Western Treasurer out of the Sum allotted New Jersey, from the first Parliamentary Grant.....	4751	5	11½	By Cash pd Stephen Skinner Esquire Treasurer of the Eastern Division, being the proportion due on Monies received from Connecticut and Pennsylvania.....	969	16	—
To ditto out of the Second do.....	4998	8	5	By a Bill remitted Andw Drummond &c for Cash they by mistake overpaid the Province see Act of Assembly.			
To do out of the third do..	4619	7	1				
To do out of the fourth do.....	4482	1	1				
To do out of the fifth do..	4395	4	5½				
The Sum drawn by the Western Treasurer...	23246	7	0				
To Cash reced of Doctor Moore Treasurer of Pennsylvania in pursuance of an Act of Assembly	1757	3	—	Sterling....£67 ,, 16 ,, 4 Exchange, 165 p. ct.	44	1	7¾
Stirling.....	25003	10	—		111	17	11¾
The above Sum of £25003 ,, 10 ,, 0 Sterling at the several rates of Exchange deducting Charges, Amount in proclamation Money as it passes in West Jersey.....	42446	10	4¾	By Ballance reported in the Treasurer's Favour June 5th 1765 and directed to be carried to the Account..	9915	18	9¾
				Ballance carried to support of Government & Sinking Fund Acct.....	31448	17	7¼
				Proc: Money as it passes in West Jersey.....	42446	10	4¾

Errors Excepted Novr 2d 1769.

By Order of the Committees

Jn° Stevens

Aaron Leaming

Dr Samuel Smith Esq Treasurer. Support of Governmt & Sinking Fund Acct Cr

1765.					
To Balance Crdt from the parliamentary Donation Account....		31448 „ 17 „ 7¼	By sundry Vouchers from No 1 to No 163 inclusive, all examined allowed and Indorsed the 26th Octor last...	8175 16 8	
Augst 24th To Cash reced of James Parker Esq. on Acct the Province Lotteries...		82 „ — „ —	By Current Bills of Credit cancelled by the Justices as ₱ their Certificate in May 1766 and burned by the Committees this day.....	4678 0 6	
1767.					
July 16th To ditto reced of ditto		35 „ — „ —	By do cancelled by do as ₱ their Certificate in May 1767 and burned by the Committees this day.....	7284 3 6	
Nov 2d To the sinking Fund Tax for the Western Counties for this year vizt			By do canceled by do as ₱ their Certificate in May 1768 and burned by the Committees this day.....	5004 8 9	
Burlington.....	£475 „ 10 „ 0				25142 „ 9 „ 5
Gloucester.....	306 „ 5 „ —		Ballance carried to Support of Governmt Acct.....		8459 „ 7 „ 7¼
Salem	272 „ 12 „ 6				
Cumberland...	140 „ — „ —				
Cape May.....	65 „ 10 „ —				
Hunterdon.....	558 „ 10 „ —				
Morris & Sussex.....	219 „ 11 „ 11				
		2035 „ 19 „ 5			
		£33601 „ 17 „ 0¼			£33601 „ 17 „ 0¼

Errors Excepted Novr 2d 1769.

By Order of the Committees

JOHN STEVENS

AARON LEAMING

Dr Samuel Smith Esq Treasurer. Support of Government Acct Cr

1768.		By sundry Vouchers from No 164 to No 200 inclusive all examd allowed and Indorsed the 26th of October last.....	1711 „ 4 „ 8½
To Ballance brot from Acct of Support of Governmt & sinking Fund.....	8459 „ 7 „ 7¼	Ballance due to the Province....	7214 „ 8 „ 10¾
Novr 21st To Cash reced of Daniel Ellis Esqr for the Duty upon a Negro.....	9 „ 10 „ —		£8925 „ 13 „ 7¼
1769.			
Febry To Cash reced of Isaac Pearson Esq being a Forfeiture on the Gaol Act.....	— „ 12 „ 6		
June 16th To Cash reced of Wilson Hunt in part of the Ballance due from him to the Province.....	350 „ — „ —		
July			
To Cash reced of Joseph Borden Esq being the Ballance of his Acct as settled by the Committee of Assembly except articles then unsold.....	106 „ 3 „ 6		
	£8925 „ 13 „ 7¼		

Memorandum. The following Arrears as reported in 1765 appear to be still out standing.

To Burlington an Old Arrear in the Loan Office, as ℔ Report in 1753.....	£18 „ 8 „ 11
Ditto in ditto as ℔ ditto.....	13 „ 7 „ 2¾
Ditto in Cape May in 1738.....	— „ 4 „ 7¼
	£32 „ 0 „ 9
An Arrear in Burlington as ℔ Report in 1758.....	1 „ 13 „ 8

D° in Salem as ℔ d° Interest Money in 1752..	3 „ 0 „ 6
An Arrear out standing in Salem Loan Office, principal Money which commenced either in 1745, 1746, 1747.....	463 „ 4 „ 6
Deficiency in Hunterdon in the £6000 Tax in June 1752 as ℔ Report in 1758.....	6 „ 0 „ 0
Ditto in Ditto as ℔ Ditto.....	1 „ 11 „ 9½

Errors Excepted Nov^{r} 2^{d} 1769.

By Order of the Committees.

Jn° Stevens
Aaron Leaming.

D^{r} Samuel Smith Esq Treasurer Sinking Fund Acc^{t} C^{r}

1768.					
Nov^{r} To the Sinking Fund Tax directed to be raised this year viz^{t}			By Current Bills of Credit cancelled by the Justices and Freeholders as ℔ their Certificate in May 1769 and burned by the Committees this day.	4501 „ 2 „ —	
Burlington.....	1562 „ 14 „	7⅝			
Gloucester.....	977 „ 5 „	1¼			
Salem	873 „ 3 „	7¾			
Cumberland.....	442 „ 14 „	7½			
Cape May.....	208 „ 17 „	2¼			
Hunterdon.....	1772 „ 3 „	11½	Ballance.....	2030 „ 8 „	1
Morris & Sussex.....	694 „ 10 „	11¼			
	£6531 „ 10 „	1		£6531 „ 10 „	1

Errors Excepted November 2^{d} 1769
By Order of the Committees
Jn° Stevens
Aaron Leaming

The House Continued till Friday November 3^{d} 1769.

The House met

Present

Peter Kemble

The Honble { Charles Read, John Ladd. / John Smith, James Parker. / John Stevens, Fred: Smyth / Samuel Smith, Richd Stockton } Esqrs

The House Continued till 3 o'Clock P. M.

The House met

Present

The Honble Peter Kemble Esq, Samuel Smith
Rt Honble Wm Earl of Sterling, John Ladd.
Charles Read, James Parker
The Honble { John Smith, Fred: Smyth / John Stevens, Richd Stockton } Esqrs

The House Continued till Saturday November 4th 1769.

The House met.

Present.

The Honble Peter Kemble Esq, Samuel Smith
Rt Honble Wm Earl of Stirling, John Ladd
The Honble { Charles Read, James Parker / John Smith, Fred: Smith / John Stevens, Richd Stockton } Esqrs

Mr Read from the Committee to whom was referred the Bill Entituled An Act to Amend An Act Entituled An Act appointing Commissioners for finally settling and determining the several Rights, Titles and Claims to the Common Lands of the Township of Bergen, and for making Partition thereof in just and equitable Proportions among those who shall be adjudged by the said Commissioners to be Entitled to the

same," reported that the said Committee had gone through the same, and having read the several Petitions for and against the said Act, and found that due Notice was given previous to the Application for the same, had made several Amendments to the said Bill to the Title thereof which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately

Whereupon M^{r} Read read the said Amendments in his place and delivered them in at the Table, and the same being read the Second time, were agreed to by the House and Ordered to be Engrossed.

The House Continued till Monday November 6th 1769

The House met

Present

The Honble	Peter Kemble Esq	Samuel Smith	
R^{t} Honble	W^{m} Earl of Stirling	John Ladd	
The Honble	Charles Read	James Parker	Esq^{rs}
	John Smith	Fred: Smyth	
	John Stevens	Rich^{d} Stockton	

The House Continued till Tuesday November 7th 1769

The House Met

Present

R^{t} Honble	Peter Kemble, David Ogden — Esq^{rs}	Samuel Smith	
The Honble	W^{m} Earl of Stirling	John Ladd	
	Charles Read	James Parker	Esq^{rs}
	John Smith	Fred: Smyth	
	John Stevens	Rich^{d} Stockton	

The House Continued till Wednesday November 8th 1769.

The House met

Present

The Honble	Peter Kemble, David Ogden	Esq[rs]	
			Samuel Smith
R[t] Honble	W[m] Earl of Stirling		John Ladd
The Honble	Charles Read, John Smith, John Stevens		James Parker, Fred: Smyth, Rich[d] Stockton

Esq[rs]

The House Continued till 3 o'clock P. M.

The House met

Present

The Honble	Peter Kemble Esq.		
R[t] Honble	W[m] Earl of Stirling		Samuel Smith
The Honble	Charles Read, John Smith, John Stevens		John Ladd, James Parker., Fred: Smyth

Esq[rs]

The Engrossed Amendments to the Bill Entituled' An Act to Amend an Act Entituled An Act appointing Commissioners for finally settling and determining the several Rights, Titles and Claims to the Common Lands of the Township of Bergen, and for making Partition thereof &c —being read and compared

Ordered, that the Speaker do sign the same.

The Bill Entituled' An Act to Amend an Act Entituled An Act appointing Commissioners for finally settling and determining the several Rights, Titles, & Claims to the Common Lands of the Township of Bergen, and for making Partition thereof &c having been read a third time with the Amendments thereto annexed, and the Amendm[s] to the title thereof

On the Question

Resolved, that the same as Amended do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Read do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence to the said Amendments

The House Continued till Thursday November 9th 1769

The House met

Present

	Peter Kemble, David Ogden Esqrs	Samuel Smith, John Ladd, James Parker	Esqrs
The Honble	Wm Earl of Stirling		
Rt Honble			
The Honble	Charles Read, John Smith, John Stevens	Fred: Smith, Richd Stockton	Esqrs

Mr Read reported that he had Obeyed the Order of the House of yesterday

The House Continued till Friday November 10th 1769

The House met

Present

The Honble	David Ogden Esq	Samuel Smith, John Ladd, James Parker	Esqrs
Rt Honble	Wm Earl of Stirling		
The Honble	Charles Read, John Smith	Fred: Smyth	Esqrs

Mr Leaming, Mr Fisher, Mr Paxson, Mr Berrien, Mr Hinchman and Mr Demarest from the House of Assembly presented for the Concurrence of this House a Bill Entituled An Act for the support of Government of his Majestys Colony of New Jersey which was read the first time and ordered a Second Reading.

The House Continued till Saturday November 11th 1769

The House met

Present.

The Honble	Peter Kemble Esq.	Samuel Smith	Esq[rs]
R[t] Honble	W[m] Earl of Stirling	John Ladd	
The Honble	Charles Read	James Parker	
	John Smith	Fred Smith.	

The House Continued till Monday Nov 13[th] 1769

The House met

Present.

The Honble	Peter Kemble Esq	Samuel Smith.	Esq[rs]
R[t] Honble	W[m] Earl of Stirling,	John Ladd.	
The Honble	Charles Read	James Parker.	
	John Smith	Fred: Smith	

M[r] Ogden and M[r] Price from the House of Assembly presented the Re-Engrossed Bill with the Councils Amendments Entituled A Supplementary Act to the Act Entituled A Supplementary Act to the Act Entituled An Act appointing Commissioners for finally settling & determining the several Rights Titles and Claims to the Common Lands of the Township of Bergen &c

They also presented for the Concurrence of this House a Bill Entituled An Act for the Encouragement of the making Iron, at the Works in the Townships of Evesham and Northampton in the County of Burlington which last mentioned Bill was read the first time and ordered a Second Reading.

The Re-ingrossed Bill Entituled a Supplementary Act to An Act Entituled An Act appointing Commissioners for finally settling and determining the Several Rights, Titles and Claims to the Common Lands of the Township of Bergen, and for making Partition thereof in just and Equitable Proportions, among those who shall be adjudged by the

said Commissioners to be Entitled to the same, being read Compared with the Amendments of this House.

Ordered, that the Speaker do sign the same.

The House Continued till Tuesday November 14th 1769.

The House met Present

The Honble	Peter Kemble, David Ogden	Esqrs	
Rt Honble	Wm Earl of Stirling	John Ladd, James Parker	Esqrs
The Honble	John Smith, Samuel Smith	Fred: Smyth, Richd Stockton	

The Bill Entituled an act for the Support of Government of his Majestys Colony of New Jersey &c was read a second time and ordered a third Reading.

The House Continued till Wednesday the 15th November 1769.

The House Met

Present

The Honble	Peter Kemble, David Ogden	Esqrs	
Rt Honble	Wm Earl of Stirling	John Ladd, James Parker	Esqrs
The Honble	John Smith, Samuel Smith	Fred: Smyth, Richd Stockton	

The Bill Entituled an act for the Support of Government of his Majestys Colony of New Jersey to commence the twenty first day of May One thousand seven hundred and sixty nine, and to end the first day of October one thousand seven hundred and seventy, and to discharge the Publick Debts and Contingent Charges thereof having been read a third time

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr S. Smith do acquaint the House of Assembly therewith.

Mr Smith reported that he had obeyed the Order of the House.

The House Continued till Thursday November 16th 1769.

The House met

Present

The Honble	Peter Kemble, David Ogden — Esqrs	John Ladd	Esqrs
Rt Honble	Wm Earl of Stirling	James Parker	
The Honble	John Smith, Samuel Smith	Fred : Smith, Richd Stockton	

Mr Fisher, and Mr Paxson from the House of Assembly presented for the Concurrence of this House a Bill Entituled an act to Erect Courts in the several Counties in this Colony for the Trial of Causes of ten Pounds & under, which was read the first time and ordered a Second reading.

His Excellency came into Council, and having by the Deputy Secretary required the attendance of the House of Assembly, they attended accordingly, when his Excellency was pleased to give his assent to the following Bills.

1st An Act for the Support of Government of his Majesty's Colony of New Jersey, to Commence the twenty first day of May One thousand seven hundred and sixty nine, and to end the first day of October One thousand seven hundred and seventy, and to discharge the publick Debts and Contingent Charges thereof.

2d An Act for Laying a Duty on the purchasers of Slaves imported into this Colony.

3. An Act to Prohibit the setting Nets, Seins, & other Devices in the Rivers Rariton and South River to obstruct the Fish going up in the Proper Seasons of the Year, and to preserve the Fry and young Brood of Fish from being destroyed in the said Rivers.

4. A Supplementary Act to an Act Entituled An Act appointing Commissioners for finally settling and determining the several Rights, Titles, and Claims to the Common Lands of the Township of Bergen, and for making Partition thereof in just and Equitable Proportions among those who shall be adjudged by the said Commissioners to be Entitled to the same.

5 An Act to enable Sundry of the Owners and Possessors of Meadows or Tide Marsh lying on Newton Creek to Erect and maintain a Bank, Dam and other Water Works across the said Creek in order to Prevent the Tide from overflowing the same, and to Keep the former Water Course of said Creek open and Clear.

6 An Act to Enable the Owners and Possessors of the Meadows and Marshes bounding on Delaware River between the Lands of John Mecom and Allen Congleton in Lower Penns Neck, in the County of Salem to stop out the Tide from overflowing the same.

Then the House of Assembly withdrew

The House Continued till Friday November 17th 1769.

The House met

Present

The Honble	Peter Kemble, David Ogden	Esqrs	
Rt Honble	Wm Earl of Stirling	John Ladd, James Parker	Esqrs
The Honble	John Smith, Samuel Smith	Fred: Smyth, Richd Stockton	Esqrs

The Bill Entituled An Act for the Encouragement of making Iron at the Works in the Townships of Evesham and Northampton in the County of Burlington was read a Second time and committed to the Members of this House or any three of them.

Mr Parker from the Committee to whom was referred the Bill Entituled An Act for the Encouragement of the making

Iron in the Townships of Evesham and Northampton in the County of Burlington, reported that the said Committee had gone through the same, and made several Amendments thereto, and an Amendment to the Title thereof, which he was ready to report when the House would be pleased to receive the same

Ordered, That the said report be made immediately

Whereupon Mr Parker read the said Amendments in his Place, and delivered them in at the Table, and the same being read a Second time were agreed to by the House and ordered to be Engrossed.

The House Continued till 3 o'Clock P: M:

The House met

Present

The Honble { Peter Kemble, David Ogden } Esqrs

Rt Honble Wm Earl of Stirling

The Honble { John Smith, Samuel Smith }

{ John Ladd, James Parker, Fred: Smyth, Richd Stockton } Esqrs

The Engrossed Amendments to the Bill Entituled An Act for the Encouragement of the making Iron &c being read and Compared.

Ordered, that the Speaker do sign the same The Bill Entituled An Act for the Encouragement of making Iron in the Township of Evesham and Northampton in the County of Burlington having been read a third time, with the Amendments thereto annexed and the Amendment to the Title thereof

On the Question

Resolved, that the same as Amended do pass.

Ordered that the Speaker do sign the same

Ordered, that Mr Parker do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence to the said Amendments

M^r^ Price and M^r^ Johnston from the House of Assembly presented for the Concurrence of this House a Bill Entituled An Act to Constitute and make great Timber Creek in Gloucester County a lawfull Fence, from the Mouth thereof to the Fork, of the same, and to Build and maintain a Bridge over said Creek, near said Fork, from the Lands late Samuel Clements deceased, to the Lands late George Marples deceased which was read the first time and ordered a Second reading.

M^r^ Parker reported that he had obeyed the above Order of the House.

The House Continued till Saturday November 18^th^ 1769.

The House met

Present

The Honble	Peter Kemble, David Ogden	Esq^rs^	
		John Ladd	Esq^rs^
R^t^ Honble	W^m^ Earl of Stirling	James Parker	
The Honble	John Smith, Samuel Smith	Fred : Smyth, Rich^d^ Stockton	

The Bill Entituled an Act to Constitute and make Great Timber Creek in Gloucester County a lawful Fence &c was read a Second time and ordered a third reading.

The House Continued till Monday November 20^th^ 1769.

The House met

Present

The Honble	Peter Kemble, David Ogden	Esq^rs^	
		Samuel Smith, John Ladd	Esq^rs^
R^t^ Honble	W^m^ Earl of Stirling	James Parker	
The Honble	Charles Read, John Smith	Fred : Smyth, Rich^d^ Stockton	

The Bill Entituled An Act to Constitute and make Great Timber Creek in the County of Gloucester a lawfull Fence from the mouth thereof to the Fork of the same and to Build

and Maintain a Bridge over said Creek near said Fork, from the Lands late Samuel Clements deced to the Lands late George Marples deceased was read a third time, and the Notices published in the Philadelphia Newspapers by the Petitioners for the same being Examined

On the Question

Resolved, that the said Bill do pass.

Ordered that the Speaker do sign the same

Ordered that Mr Ogden do acquaint the House of Assembly therewith

The House Continued till Tuesday November 21st 1769

The House met

Present

The Honble	Peter Kemble, David Ogden	Esqrs	Samuel Smith, John Ladd
Rt Honble	Wm Earl of Stirling		Esqrs
The Honble	Charles Read, John Smith		Fred: Smyth, Richd Stockton

Mr Hartshorne and Mr Bullock from the House of Assembly presented for the Concurrence of this House a Bill Entituled an act to Rebuild & maintain the Bridge over Croswicks Creek, near Richard Browns Mill &c, and presented at the same time the Petitions for the same.

They also presented in like manner a Bill Entituled an act for the preserving of Oysters in the Colony of New Jersey: And a Bill Entituled an act for the recovering of Damages for Trespasses done by Swine.

Which several Bills were read the first time & ordered a Second Reading.

Mr Berrien and Mr Hinchman from the House of Assembly presented for the Concurrence of this House a Bill Entituled an act for maintaining the Banks & Sluices and draining the Meadows on Mannington Creek in the County of Salem, and Repealing an act Entituled An Act to Enable

the Owners of the Meadows and Marshes adjoining to and on both sides of Mannington Creek, to stop out the Tide from overflowing them, which was read the first time and ordered a Second reading.

They also presented the Bill Re-Engrossed with the Amendments of this House Entituled An Act to Grant certain Priviledges to the Owners of the Iron Works in the Townships of Evesham and Northampton in the County of Burlington, and of the Hibernia Iron Works in the Township of Pequanack in the County of Morris which being read and compared with the said Amendments

Ordered, that the Speaker do sign the same

The Bill Entituled An Act for the better preserving of Oysters in the Colony of New Jersey was read a Second time, & committed to the Members of this House or any three of them.

The Bill Entituled An Act for the recovering of Damages for Trespasses done by Swine was read a Second time, and committed to the Members of this House, or any three of them.

The House Continued till Wednesday November 22^{d} 1769

The House met

Present

The Honble	Peter Kemble David Ogden	Esq^{rs}	Samuel Smith John Ladd Fred: Smyth Rich^{d} Stockton	Esq^{rs}
R^{t} Honble	W^{m} Earl of Stirling			
The Honble	Charles Reed John Smith			

The Petition of the Minister, Wardens and Vestrymen of Saint Marys Church in Burlington was read, shewing that An Act passed in the fifth Year of his present Majesty's Reign to Enable the Minister &c of the said Church to Sell a Tract of Land in Somerset County &c is now become

insufficient for the Purposes intended by the said Act, and praying that the said Act may be Amended.

Ordered that Mr Stockton do bring in a Bill for that purpose.

Mr Ogden Chairman of the Committee upon the Bill Entituled An Act for the better preserving of Oysters in the Colony of New Jersey, reported the same without Amendment

Ordered, that the same be read a third time

The Bill Entituled An Act for the better preserving of Oysters in the Colony of New Jersey, being read a third time

On the Question

Resolved, that the same do pass

Ordered, that the Speaker do sign the same

Mr Ogden from the Committee to whom was referred the Bill Entituled An Act for recovering of Damages for Trespasses done by Swine, reported the same without Amendment

Ordered, that the same be read a third time

The Bill Entituled An Act for recovering of Damages for Trespasses done by Swine being read a third time

On the Question

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Ogden do acquaint the House of Assembly with the aforesaid Conclusions.

Mr Ogden reported that he had Obeyed the foregoing Orders of the House.

Mr Stockton according to Orders brought in a Bill Entituled a Supplementary Act to An Act Entituled An Act to Enable the Revd Mr Colin Campbell the present Rector of Saint Marys Church in Burlington, with the Church Wardens and Vestry Men of said Church or the Major part of them, to sell two hundred and six Acres of Land in Somerset County, devised to the Ministry of said Church, and to Enable Trustees to put the same to Interest untill a Convenient Glebe can be purchased near the said Church, and

other purposes therein mentioned which was read the first time, and ordered a second reading

The Bill Entituled an Act to Rebuild & maintain the Bridge over Crosswicks Creek near Richard Browns Mill, and to make the same a County Charge, was read a Second time, and it not appearing that any publick Notice hath been given of the Bringing in the said Bill

Ordered, that the same do Lie on the Table

The Bill Entituled An Act for maintaining the Banks and Sluices, and draining the Meadows on Mannington Creek in the County of Salem &c was read a Second time and it appearing that publick Notice had been given of the Petitions for the same, it was ordered a third Reading.

The House Continued till 3 o'Clock P. M.

The House met

Present

The Honble	Peter Kemble, David Ogden — Esq[rs]	Samuel Smith	Esq[rs]
R[t] Honble	W[m] Earl of Stirling	John Ladd	
The Honble	Charles Read, John Smith	Fred : Smyth, Rich[d] Stockton	

The Bill Entituled An Act for maintaining the Banks and Sluices, and draining the Meadows on Mannington Creek in the County of Salem and repealing an Act Entituled an Act to Enable the Owners of the Meadows & Marshes adjoining to and on both sides of Mannington Creek to stop out the Tide from overflowing them, was read a third time, and

On the Question

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that M[r] Stockton do acquaint the House of Assembly therewith

The Bill Entituled a Supplementary Act to an Act Entituled An Act to Enable the Rev[d] M[r] Colin Campbell the

present Rector of S^{t} Marys Church in Burlington with the Church Wardens and Vestry Men of said Church or the Major part of them to sell two hundred and six Acres of Land &c was read a Second time and agreed to by the House

Ordered, that the same be Engrossed

The House Continued till Thursday November 23^{d} 1769.

The House met

Present

The Honble	Peter Kemble, David Ogden	Esq^{rs}	Samuel Smith, John Ladd, Fred: Smith, Rich^{d} Stockton
R^{t} Honble	W^{m} Earl of Stirling		Esq^{rs}
The Honble	Charles Read, John Smith		

M^{r} Johnston and M^{r} Smith from the House of Assembly presented for the Concurrence of this House a Bill Entituled an Act for the Relief of Isaac Bonnell Esq High Sheriff of Middlesex with respect to Escapes, which was read the first time and ordered a Second Reading.

M^{r} Stockton from the Committee appointed to meet a Committee of the House of Assembly to settle the Treasurers Accounts, reported that the said Committees had met according to appointment, and had settled and Stated the Accounts of the Eastern Treasurer, which he was ready to report when the House would be pleased to receive the same,

Ordered, that the said report be made immediately

Whereupon M^{r} Stockton read the said Accounts in his Place and delivered them in at the Table, and the House having read and Considered the same

On the Question, approved thereof

Ordered, that the said Accounts be entered at Length in the Journals of this House, which are as follows

Dr Stephen Skinner Esqr Treasurer of the Eastern Division of New Jersey Cr

1766.			1766	
June 21st To the Old Deficiences out standing Middlesex as ℔ report in 1760..	£18 „ 18 „ 5¼		June 21st By several Old Deficiences mentioned on the Debtors side which are fully explained in the report of November 1760, amounting to....	£117 „ 3 „ 3½
To another arrearage in Middlesex as ℔ Do.....	25 „ — „ —			
		43 „ 18 „ 5¼		
To Arrears in the Interest as ℔ the same report vizt				
Bergen.....	21 „ 4 „ 9¾			
Essex.....	72 „ 6 „ 5¾			
Middlesex.....	38 „ 12 „ 7¼			
		132 „ 3 „ 10¼		
To Deficiency in Somerset as ℔ Ditto.....		1 „ 5 „ —		
		£177 „ 7 „ 3½		

Principal

1766.			1766	
June 21st £1 „ 12 „ 3¼ which the Loan officers of Monmouth have Cancelled more than their Quota, & ought to be repaid them by the Treasurer out of the £42 „ 16 „ — that yet remains to be Sunk in Essex, see the Report December 12th 1761. page 50.....		1 „ 12 „ 3¼	June 21st By the Overplus Sunk in Monmouth, mentioned on the Dr side of this Acct.....	1 „ 12 „ 3¼
To part of the £109 „ 3 „ 6 that Essex was Deficient in the £40,000, & £20,000 principal Money as ℔ Report, June 1754 and December 1761...		42 „ 16 „ —	By Deficiencies in Essex mentioned on the Dr side, and reported in December 12th 1761 page 51.....	42 „ 16 „ —
		£44 „ 8 „ 3¼		£44 „ 8 „ 3¼

November 22d 1769.
Errors Excepted By
Richard Stockton
Aaron Leaming

Dr Stephen Skinner Esqr Treasurer in Acct Current with the Province of New Jersey Cr

1766					
June 7th	To Ballance of the Parliamentary Donation Account		32861 „ 14 „ 10¼	By Ballance of Acct settled by the Committees of both Houses June 26 1766	8575 „ 18 „ 0¼
To Cash receed from Jno Arison	£175 „ 3 „ 3			By Sundry Vouchers from N° 1 to 45, inclusive, all examined allowed & Indorsed the 6th day of November 1769 Acct of the War Fund	6130 „ 6 „ 4
To do from do	12 „ — „ —			By Sundry Vouchers from N° 1 to 137 inclusive, all examined allowed & Indorsed the 6th day of Novemr 1769 Acct of Government	2670 „ 5 „ 11
To do from do	63 „ 2 „ 6			By Current Bills of Credit cancelled by the Justices & Freeholders of Middx being the amount of the Sinking Fund for 1767 ℔ Certificates	5968 „ 9 „ 10
		250 „ 5 „ 9			
24th To Do Hendrick Fisher Acct of Lottery	£66 „ 5 „ —			Ballance due to the Province including the Sum of £6570 „ 9 „ 4 Stolen from the Treasury the 21st July 1768, & which the Treasurer prays to be allowed	12917 „ 18 „ 0¼
25 To Do of Timothy Edwards	£161 „ 7 „ 2				
1768					
Apr: 18th To Do of John Arison	58 „ 14 „ —				
To Do of Stephen Crane	198 „ 0 „ —				
To Do of Cornelius Hatfield Ballance of his Acct	61 „ 10 „ 2				
To Do of Mattheas Williamson Ballance of his Acct	37 „ 2 „ 6				
		582 „ 18 „ 10			
To Cash receed of the County Collectors to Compleat the Fund for 1767. vizt					
Middlesex	£487 „ 10 „ 2				
Monmouth	706 „ 12 „ 11				
Somerset	600 „ 10 „ 11				
Essex	418 „ 15 „ 7				
Bergen	354 „ 9 „ 1				
		2567 „ 18 „ 8			
			£36262 „ 18 „ 1¼		£36262 „ 18 „ 1¼

The Committees beg leave to recomend to the Council and Assembly the Examination of the above Article of £6570 „ 9 „ 4 said to be Stolen from the Treasury as being improper for the Committees determination

November 22d 1769
Errors Excepted By
Richard Stockton
Aaron Leaming

Dr Stephen Skinner Esqr Treasurer Parliamentary Donation Acct Cr

To Amount of the Proportion allotted the Eastern Division of the Province of New Jersey out of the Parliamentary Donation, drawn for by the late Treasurer being the Sum allotted New Jersey from the first Parliamen- Grant.....	£4361 „ 17 „ 6		By £137 „ 4 „ — Sterling Acct of the Tallies charged Stephen Skinner & included in the Draught of the late Treasurer Andw Johnston Esq and settled by Samuel Smith Esq. Western Treasurer.....	137 „ 4 „ —	
To do out of the Second...	4599 „ 19 „ 7				
		8961 „ 16 „ 1			
These two articles were drawn for by Andrew Johnston Esq and in the Settlement of his Acct delivered over to Stephen Skinner Esq present Treasurer.			By Ballance accounted for by Bill drawn by Andw Johnston Esq late Treasurer & Stephen Skinner Esq Treasurer of the Eastern Division ℔ Acct below.....	21081 „ 11 „ 10	
To Amount of the Proportion drawn for by Stephen Skinner Esq. Treasurer out of the Sum allotted New Jersey the 3d Parliamy Donations.....	£4221 „ 11 „ 3		Allotted the Eastern Division ℔ Drummonds Account.....	£21218 „ 15 „ 9	
To ditto 4th ditto.....	4180 „ 6 „ 9				
To ditto 5. ditto	3855 „ 0 „ 8				
		12256 „ 18 „ 8			
		£21218 „ 15 „ 9			

D^r Stephen Skinner Esq^r Treasurer Parliamentary Donation Acc^t C^r

To above Ballance	21081	11	10	By Sundry Debts outstanding on this Acc^t.....	4359 14 11¾
To Cash receed. of the Colony of Connecticut	580	13	2	By Ballance carried to General Account.....	32861 14 10¼
To ditto of Samuel Smith.....	562	4	1		
The above Sum of £22224 9 1 Sterling, at the Several Rates of Exchange, at which the Bills were Sold, deducting Charges amounts in Proclamation Money as it passes in West Jersey to.. .....£	37221	9	10	£	37221 9 10

November 22^d 1769
Errors Excepted By
RICHARD STOCKTON
AARON LEAMING

The Committees beg leave to recommend to the Council and Assembly an inquiry into the State of the Outstanding Debts contained in the above article of £4359 „ 14 „ 11¾ as the Securities for the payment thereof have not been laid before the Committees.

D^r Stephen Skinner Esq Treasurer Sinking Fund Account C^r

1768		1769	
Nov 21st By Sundry Taxes reced from the Collector to compleat the Sinking Fund for 1768 viz^t		May 10th To Sundry Bills of Credit laid before the Justices and Freeholders of Middlesex, and Cancelled by them, as ℔ Certificate No 1, now produced in part of the Sinking Fund for 1768, not yet burned	4565 „ 16 „ 6
Middlesex County	1132 „ 18 „ 10¾		
Monmouth	1642 „ 18 „ 5¼		
Somerset	1395 „ 13 „ 6½		
Essex	973 „ 4 „ 2		
Bergen	823 „ 14 „ 9½		
	£5968 „ 9 „ 10	To Ballance remaining in the Treasurers Hands not yet Cancelled	1402 „ 13 „ 4
			£5968 „ 9 „ 10

November 22^d 1769
Errors Excepted By
Richard Stockton
Aaron Leaming

The Engrossed Bill Entituled a Supplementary Act to an Act Entituled An Act to Enable the Rev^d M^r Colin Campbell the present Rector of Saint Marys Church in Burlington with the Church Wardens and Vestry Men of said Church or the Major part of them to sell two hundred and Six Acres of Land in Somerset County devised to the Ministry of said Church, to Enable Trustees to put the same to Interest untill a Convenient Glebe can be purchased near the said Church and other purposes therein mentioned, being read and Compared

On the Question

Resolved, that the same do pass.

Ordered, that the Speaker do Sign the same

Ordered, that Lord Stirling do carry the said Bill to the House of Assembly and desire their Concurrence thereto.

The House Continued till 3 o'Clock P. M.

The House met

Present

The Honble	Peter Kemble, David Ogden	Esq^rs	
R^t Honble	W^m Earl of Stirling	Samuel Smith, John Ladd	Esq^rs
The Honble	Charles Read, John Smith	Fred : Smyth, Rich^d Stockton	

The Bill Entituled An Act for the Relief of Isaac Bonnell Esq High Sheriff of Middlesex, with respect to Escapes, was read a Second time, and ordered a third reading

The Bill Entituled An Act to Erect Courts in the several Counties in this Colony for the Trial of Causes of Ten Pounds and under was read a Second time, and committed to the Members of this House or any three of them.

Lord Stirling reported that he had obeyed the Order of the House of this Morning.

The House Continued till Friday November 24^th 1769

The House met

Present

The Honble	Peter Kemble, David Ogden	Esq^rs	
R^t Honble	W^m Earl of Stirling	Samuel Smith, John Ladd	Esq^rs
The Honble	Charles Read, John Smith	Fred : Smyth, Rich^d Stockton	

The Bill Entituled An Act for the Relief of Isaac Bonnell Esq. High Sheriff of Middlesex with respect to Escapes, was read a third time, and

On the Question

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Ogden do acquaint the House of Assembly therewith.

Mr Ogden from the Committee to whom was referred the Bill Entituled An Act to Erect Courts in the several Counties in this Colony for the Trial of Causes of ten Pounds and under reported that the said Committee had gone through the same and made several Amendments thereto and one Amendmt to the Title thereof, which he was ready to report when the House would be pleased to receive the same.

Ordered, that the said Report be made immediately

Whereupon, Mr Ogden Read the said Amendments in his Place and delivered them in at the Table, and the same being read a Second time were agreed to by the House, and ordered to be Engrossed,

The Engrossed Amendments to the Bill Entituled An Act to Erect Courts in the several Counties in this Colony for the Trial of Causes of ten pounds and under being read and Compared

Ordered, that the Speaker do sign the same

The Bill Entituled An Act to Erect Courts in the several Counties in this Colony for the Trial of Causes of ten Pounds and under being read a third time, and Compared with the Amendments thereto annexed, and one Amendment to the Title thereof.

On the Question

Resolved, that the same as Amended do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Ogden do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence to the said Amendments

Mr Ogden reported that he had obeyed the foregoing Orders of the House.

Mr Stockton with the leave of the House brought in a Bill Entituled an act for the more Effectual discovery and punishment of the Crime of Horse Stealing, which was read the first time and ordered a Second Reading.

A Message from the House of Assembly in the following words.

"Ordered, that Mr Hewlings and Mr Johnston do carry to the Council the Bill Entituled a Supplementary Act to an act Entituled an act to Enable the Reverend Mr Colin Campbell the present Rector of Saint Marys Church in Burlington, with the Church Wardens and Vestry Men of said Church, or the Major part of them to sell two hundred "and six acres "of Land &c together with the Amendments made thereto "by the House of Assembly, and desire the Concurrence of "the Council to the said Amendments."

A Message from the House of Assembly in the words following.

"Ordered, that Mr Fisher and Mr Ogden do carry back to "the Council the Bill Entituled an Act to Erect Courts in "the several Counties in this Colony for the Trial of Causes "of ten Pounds and under, with the Amendments made by "the Council thereto, and acquaint the Council that this "House do Concur with the Council in the third and fifth "amendment, and disagree to the other Amendments pro-"posed, and adhere to the Bill."

Mr Hart and Mr Tucker from the House of Assembly presented for the Concurrence of this House a Bill Entituled An Act to Maintain and repair the Public Roads in the Township of Hanover in the County of Morris by a Tax on the Inhabitants of the same, which was read the first time, and ordered a Second reading.

The House Continued till 3 o'Clock P. M.

The House met

Present

The Honble	Peter Kemble, David Ogden	Esqrs	Samuel Smith	Esqrs
Rt Honble	Wm Earl of Stirling		John Ladd	
The Honble	Charles Reed, John Smith		Fredr Smith, Richd Stockton	

The Bill Entituled an act for the more effectual discovery and punishment of the Crime of Horse Stealing was read a Second time, and ordered to be Engrossed

The Bill Entituled an act to maintain and repair the Publick Roads in the Township of Hanover in the County of Morris by a Tax on the Inhabitants of the same, was read a second time and ordered a third reading.

M^{r} Berrien and M^{r} Hartshorne from the House of Assembly presented for the Concurrence of this House, a Bill Entituled An Act to Naturalize Chistopher Bishop, John Lame, Peter Lame, Henry Lishman, Francis Ralph, George Sawrback, Thomas Wisler, John Martin Fulkemer, Jacob Akely, Frederick Smith, Matthew Marten, John Bohn, Gerhart Winter, Peter Brown, Andrew Cougle, Peter Slim, John Hartman, Johannes Hofses, Johannes Balthazar Hartf, Walter Wob, Christopher Rob, John Cosman, John Marlin, and Henry Stricklin, which was read the first time and ordered a Second reading.

The House Continued till Saturday November 25th 1769

The House met

Present

The Honble	Peter Kemble, David Ogden.	Esq^{rs}	
R^{t} Honble	W^{m} Earl of Stirling	Samuel Smith, John Ladd	Esq^{rs}
The Honble	Charles Read, John Smith	Fred : Smyth, Rich^{d} Stockton.	Esq^{rs}

A Message from the House of Assembly in the following Words.

"Ordered, that M^{r} Fisher, M^{r} Wetherill, M^{r} Leaming M^{r} "Hinchman, M^{r} Crane, & M^{r} Tucker be a Committee to Confer with a Committee of the Council on the Subject Matter of his Excellencys Message, concerning the Boundary Line between the Colonies of New Jersey and New York.

"Ordered, that M^{r} Johnston and M^{r} Smith do wait on the

Council and request their Concurrence with this Resolution, and that they appoint the time and Place of Conferrence.

The Council taking the same into Consideration Ordered, that Mr Ogden, Lord Stirling, Mr Read Mr John Smith and Mr Samuel Smith be a [committee of the] Council to Confer with a Committee of the House of Assembly on the Subject of a Boundary Line between this Province and the Province of New York.

Ordered, that Mr Read do acquaint the House of Assembly therewith, and that the said Conferrence be held immediately in the Council Chamber

Mr Read reported that he had obeyed the above Order

The House Continued till Monday November 27th 1769

The House met

Present

The Honble { Charles Read, John Smith, Samuel Smith, John Ladd, Fred : Smyth } Esquires

The Bill Entituled An Act to maintain and repair the publick Roads in the Township of Hanover in the County of Morris by a Tax on the Inhabitants of the same, was read a third time, and

On the Question

Resolved, that the same do pass.

Ordered that the Speaker do sign the same

The Bill Entituled An Act to Naturalize Christopher Bishop and others was read a Second time, and ordered a third Reading.

The Bill Entituled An Act to Naturalize Christopher Bishop John Lame, Peter Lame, Henry Lishman, Francis Ralph, George Sawrbeck, Thomas Whisler, John Martin Fulkemer, Jacob Akely, Frederick Smith, Matthew Marten,

John Bohn, Gerhart Winter, Peter Brown, Andrew Cougle, Peter Slim, John Hartman, Johannes Hofses, Johannes Balthazer Hartf, Walter Wob, Christopher Rob, John Cosman, John Marlin, and Henry Stricklan, was read a third time and it appearing that they are all duly qualified,

On the question

Resolved, that the same do pass,

Ordered, that the Speaker do sign the same

Ordered, that Mr Ladd do acquaint the House of Assembly that the Council have passed the two last mentioned Bills.

Mr Fisher, Mr Wetherill, Mr Paxson and Mr Hewlings from the House of Assembly presented for the Concurrence of this House a Bill Entituled An Act to settle the Quotas of the several Counties in this Colony for the Levying of Taxes, which was read the first time and ordered a Second reading.

Mr Ladd reported that he had obeyed the above order

The House Continued till Tuesday November 28th 1769

The House met

Present

The Honble { Charles Read, John Smith, Samuel Smith, John Ladd, Fred Smyth } Esquires

Mr Hartshorne, and Mr Hinchman from the House of Assembly presented for the Concurrence of this House a Bill Entituled An Act for the more effectual preservation of Deer in this Colony which was read the first time and ordered a Second reading.

Mr Fisher and Mr Runyan from the House of Assembly presented for the Concurrence of this House a Bill Entituled An Act to Repeal part of an Act Entituled An Act to Impower the Inhabitants of the Townships of Bridgewater

and Bedminster in the County of Somersett, to repair their publick Highways by Hire &c—And a Bill Entituled An Act to repeal An Act Entituled An Act for the repairing and Amending the Highways in the South Ward of Perth Amboy &c—which said Bills were read the first time and severally ordered a Second reading.

The Council taking into Consideration the Message from the House of Assembly of the 24th instant relative to the Amendments of the Council to the Bill Entituled An Act to Erect Courts in the several Counties in this Colony for the Trial of Causes of ten Pounds and under

Resolved, that they do recede from their first, Second and fourth Amendments and from their Amendment to the Title of the said Bill.

Ordered, that Mr John Smith do acquaint the House of Assembly therewith,

The Engrossed Bill Entituled An Act for the more effectual discovery and Punishment of the Crime of Horse Stealing being read and Compared

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr John Smith do carry the said Bill to the House of Assembly and request their Concurrence to the Same,

Mr John Smith reported that he had Obeyed the above Orders of the House.

The Bill Entituled An Act to settle the Quotas of the several Counties &c was read a Second time and ordered a third Reading.

A Message from the House of Assembly in the Words following.

"Ordered that Mr Dey and Mr Tucker do carry to the "Council the Bill Re Engrossed with the Amendments "agreed upon by the Council and this House Entituled An "Act to Erect Courts in the several Counties in this Colony "for the Trial of Causes of ten Pounds and under."

The said Bill Re ingrossed being read and Compared with the Amendments made thereto.

Ordered, that the Speaker do sign the same

The Bill Entituled An Act to settle the Quotas of the several Counties in this Colony for the Levying Taxes, was read a third time, and

On the Question.

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that M^{r} Samuel Smith do acquaint the House of Assembly therewith

M^{r} Samuel Smith reported that he had Obeyed the above Order.

The House Continued till Wednesday November 29th 1769

The House met

Present

The Honble	Charles Read	John Ladd	Esq^{rs}
	John Smith	Fred : Smyth	
	Samuel Smith	Rich^{d} Stockton	

The Bill Entituled An Act for the more effectual preservation of Deer in this Colony was read a Second time, and Committed to the Members of this House, or any three of them.

M^{r} Price and M^{r} Smith from the House of Assembly presented for the Concurrence of this House a Bill Entituled An Act for the Relief of Insolvent Debtors, which was read the first time, and ordered a Second reading.

M^{r} Samuel Smith from the Committee to whom was referred the Bill Entituled An Act for the more effectual preservation of Deer in this Colony, reported that the Committee had gone through the same, and made several Amendments thereto, which he was ready to report when the House would be pleased to receive the same.

Ordered, that the said Report be made immediately

Mr Smith read the said Amendments in His Place and delivered them in at the Table, and the same being read a Second time, and approved of by the House

The Bill entituled An Act for the more effectual preservation of Deer in this Colony, was read a third time with the Amendments thereto Annexed, and

On the Question

Resolved, that the same as Amended do pass

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered, that Mr Smith do carry the said Bill & Amendments to the House of Assembly and desire their Concurrence to the said Amendments.

Mr Smith reported that he had obeyed the above order

The Council taking into Consideration the Amendmts of the House of Assembly to the Bill Entituled A Supplementary Act to An Act Entituled An Act to Enable the Reverend Mr Colin Campbell the present Rector of St Marys Church in Burlington with the Church-Wardens and Vestry Men of said Church or the Major part of them to sell two hundred and six Acres of Land &c

Resolved, that this House do disagree to the said Amendmts and adhere to the Bill.

Ordered, that Mr Ladd do carry the said Bill and Amendments to the House of Assembly and acquaint them of the above Resolution.

Mr Ogden and Mr Johnston from the House of Assembly brought up the Bill Entituled An Act for the more effectual discovery and Punishment of the Crime of Horse Stealing, passed by the House of Assembly

The Bill Entituled An Act for the Relief of Insolvent Debtors, was read a Second time, and Ordered a third reading

The House Continued till Thursday November 30th 1769.

The House met

Present

The Honble	Charles Read	John Ladd	Esquires
	John Smith	Fred: Smyth	
	Samuel Smith	Rich[d] Stockton.	

The Bill Entituled An Act for the Relief of Insolvent Debtors being read a third time

On the Question

Resolved, that the same do pass

Ordered, that the Speaker do sign the same

Ordered, that M[r] Ladd do acquaint the House of Assembly therewith.

The Bill Entituled An Act to repeal part of an Act Entituled An Act to Impower the Inhabitants of the Townships of Bridgwater and Bedminster in the County of Somerset to repair the Publick Highways by Hire, and to raise Money for that Purpose: And the Bill Entituled An Act to Repeal An Act Entituled an Act for the repairing and Amending the Highways in the South Ward of Perth Amboy in the County of Middlesex by a Tax were severally read the Second time and Ordered to lie on the Table.

M[r] Leaming, M[r] Ogden, M[r] Taylor, M[r] Bullock M[r] Berrien and M[r] Runyan from the House of Assembly presented for the Concurrence of this House a Bill Entituled An Act for striking One hundred thousand Pounds in Bills of Credit, which was read the first time and ordered a Second reading.

M[r] Hinchman and M[r] Demarest from the House of Assembly presented the Re Engrossed Bill with the Councils Amendments Entituled An Act for the more Effectual preservation of Deer in this Colony which being read and Compared

Ordered that the Speaker do sign the same

M[r] Smith, and M[r] Price from the House of Assembly presented for the Concurrence of this House a Bill Entituled An Act to Vacate the sale of certain Lands in the County of

Middlesex, late of Thomas Leonard jun[r] deceased and for other purposes therein mentioned, which was read the first time and ordered a Second Reading.

The House Continued till Friday December 1[st] 1769

The House met

Present

The Honble { Charles Read, John Ladd, John Smith, Fred: Smyth, Samuel Smith, Rich[d] Stockton. } Esq[rs]

A Message from the House of Assembly by M[r] Fisher in the Words following.

"Ordered, that M[r] Hart, M[r] Johnston and M[r] Berrien, be "a Committee to meet a Committee of the Council to "Examine the Accounts of Such Barrack Masters as shall be "laid before them"

Ordered, that M[r] Ladd, and M[r] Stockton or either of them be a Committee to meet the Committee of the House of Assembly to settle the said Barrack Masters Accounts.

M[r] Paxson and M[r] Hewlings from the House of Assembly presented for the Concurrence of this [house] A Bill Entituled An Act to Prescribe the Mode of Security to be given by the Treasurers of this Colony, which was read the first time and ordered a Second reading.

A Message from the House of Assembly in the words following.

"Ordered, that M[r] Paxson and M[r] Hewlings do carry to "the Council the Bill Entituled a Supplementary Act to An "Act Entituled An Act to Enable the Reverend M[r] Colin "Campbell the present Rector of S[t] Marys Church in Bur- "lington &c and acquaint them that this House have receded "from their Amendments to the said Bill."

M[r] Fisher and M[r] Hart from the House of Assembly presented for the Concurrence of this House a Bill Entituled An Act for the more speedy recovering of Debts above ten

Pounds and under fifty Pounds &c and A Bill Entituled An Act for the Regulation of Ferriages to be taken at the several Ferries &c—which Bills were severally read the first time, and ordered a Second Reading.

Mr Hewlings and Mr Bullock from the House of Assembly presented for the Concurrence of this House a Bill Entituled a Supplementary Act to the Act Entituled An Act for Explaining and Amending An Act of the General Assembly of this Province Entituled An Act for Enabling the Owners of the Meadows and Marshes adjoining to and on both sides of the Creek that Surrounds the Island of Burlington to stop out the Tide from overflowing them, which was read the first time and Ordered a Second Reading.

The Bill Entituled An Act for Striking One hundred thousand Pounds in Bills of Credit was read the Second time and ordered a third reading.

The Bill Entituled An Act for Striking One hundred thousand Pounds in Bills of Credit, was read a third time

On the Question

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same.

Ordered, that Mr Stockton do acquaint the House of Assembly therewith.

The Bill Entituled An Act to Vacate the Sale of certain Lands in the County of Middlesex &c was read a Second time, and the Petition and Sundry depositions &c being read, the said Bill was ordered a third Reading.

The Bill Entituled An Act to Vacate the Sale of certain Lands in the County of Middlesex late of Thomas Leonard junr deceased, and for other Purposes therein mentioned was read the third time

On the Question

Resolved that the same do pass

Ordered that the Speaker do sign the same

Ordered that Mr Stockton do acquaint the House of Assembly therewith.

Mr Stockton reported that he had obeyed the Orders of the House.

The House Continued till Saturday December 2d 1769

The House met.

Present

The Honble	Charles Read	John Ladd	Esqrs
	John Smith	Fred : Smyth	
	Samuel Smith	Richd Stockton	

The Bill Entituled An Act to Prescribe the Mode of Security to be given by the Treasurers of this Colony, was read a Second time and sundry Amendments proposed thereto, which Amendments having been twice read were agreed to by the House, and ordered to be engrossed.

The said Bill together with the Engrossed Amendments being read a third time

On the Question

Resolved, that the said Bill as Amended do pass.

Ordered, that the Speaker do sign the said Bill and Amendments

Ordered, that Mr Ladd do carry the said Bill & Amendments to the House of Assembly and desire their Concurrence to the said Amendments.

The Bill Entituled a Supplementary Act to an Act Entituled An Act to Amend An Act for Enabling the Owners of Meadows and Marshes adjoining to & on both sides of the Creek that surrounds the Island of Burlington &c was read a Second time, and one Amendment made thereto, and the said Amendment having been twice read was agreed to by the House and ordered to be Engrossed.

The said Bill with the Engrossed Amendment being read a third time

On the Question

Resolved, that the said Bill as Amended do pass.

Ordered, that the Speaker do sign the said Bill and Amendment

Ordered, that Mr Ladd do carry the said Bill & Amendment to the House of Assembly and desire their Concurrence to the said Amendment.

Mr Ladd reported that he had obeyed the foregoing Order.

A Message from the House of Assembly in the following Words.

"Ordered, that Mr Price and Mr Smith do carry back to "the Council the Bill Entituled An Act to prescribe the mode "of Security to be given by the Treasurers of this Colony "with the Amendments made thereto by the Council, and "acquaint them that this House disagrees to the said Amend-"ments, and adheres to the Bill."

Mr Smith and Mr Johnston from the House of Assembly presented a Bill Re-Engrossed with the Amendment of this House Entituled a Supplementary Act to the Act Entituled An Act for Explaining and Amending An Act of the General Assembly of this Province Entituled An Act for explaining and Amending An Act of the General Assembly of this Province Entituled An Act for Enabling the Owners of the Meadows and Marshes adjoining to and on both Sides of the Creek that Surrounds the Island of Burlington &c which being read and Compared

Ordered, that the Speaker do sign the same

The Bill Entituled An Act for the more easy recovering Debts above ten Pounds and under fifty Pounds &c was read a Second time, and Committed to the Members of this House or any three of them.

The House Continued till 3 o'Clock P. M.

The House met

Present

The Hoñble	Charles Read	John Ladd	Esqrs
	John Smith	Fred : Smyth	
	Samuel Smith	Richd Stockton	

A Message from the House of Assembly by Mr Johnston and Mr Smith in the Words following.

"The House being informed by divers Members that upon "the delivery of Bills to the Council for their Concurrence "the Council received the same without rising, as heretofore "has been usual.

"Ordered, that Mr Leaming, Mr Fisher, Mr Hartshorne, "Mr Miller, Mr Paxson and Mr Berrien be a Committee to "Confer with a Committee of the Council on this matter: "And that Mr Johnston and Mr Smith do wait on the Coun- "cil, and request that they will appoint a Committee to meet "the Committee of this House in a free Conferrence on this "matter and appoint the time and Place of meeting, and "that Mr Speaker be desired to assist the said Committee."

Mr Stockton from the Committee to whom was referred the Bill Entituled An Act for the more easy recovering Debts above ten Pounds and under fifty Pounds &c reported that the Committee had gone through the said Bill and made sundry Amendments thereto, which he was ready to report when the House would be Pleased to receive the same

Ordered, that the said report be made immediately

Mr Stockton read the Said Amendments in his Place and delivered them in at the Table, And the same being read a Second time were agreed to by the House, and ordered to be Engrossed.

The Bill Entituled An Act for the more easy recovering Debts above ten Pounds, and under fifty Pounds &c was read a third time with the Amendments made thereto and,

On the Question

Resolved, that the same as Amended do Pass.

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered that Mr John Smith do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence to the said Amendments.

Mr J. Smith reported that he had Obeyed the Order of the House.

The House Continued till Monday December 4th 1769.

The House met

Present

The Honble { Charles Read, John Smith, Samuel Smith, John Ladd, Fred: Smyth } Esquires

The Bill Entituled An Act for the Regulation of Ferriages &c was read a Second time and several Amendments proposed to the Body of the Bill, and one Amendment to the Title of the same. The said Amendmt^{s} being twice read, were agreed to by the House and ordered to be Engrossed.

The House Continued till 3 o'Clock P. M.

The House met

Present

The Honble { Charles Read, John Smith, Samuel Smith, John Ladd, James Parker, Fred: Smyth } Esq^{rs}

The Bill Entituled An Act for the Regulation of Ferriages &c was read a third time with the Amendm^{ts} made thereto by this House, and

On the Question

Resolved, that the Same as Amended do Pass.

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered, that M^{r} Samuel Smith do carry the Bill and Amendments to the House of Assembly, and desire their Concurrence to the said Amendments.

A Message from the House of Assembly in the words following.

"Ordered, that M^{r} Fisher and M^{r} Tucker do carry to the "Council the Bill Entituled An Act for the more speedy "recovering Debts above ten Pounds and under fifty Pounds

&c with the Amendments made thereto by the Council, and "acquaint the Council that this House disagrees to the third, and first part of the eighth and the whole of the twelfth Amendments, and in those parts Adhere to the Bill, but agree to all the other Amendm^{ts}

Ordered that M^{r} Chief Justice do acquaint the House of Assembly in Answer to their Message of Saturday last, on the Ceremonial of the Members of the Council receiving such Members of the House of Assembly who may be Charged with Bills or Messages necessary to be Communicated to them without rising; That the Council at the same time that they assure the House of Representatives they have not the least intention to shew any disrespect to them, cannot allow themselves to alter established Customs in carrying on the necessary intercourse between the two Houses: But as the Council at present Consists of so few Members, that Any Result of the Committees upon a Conferrence might not be satisfactory to the Members of the Council in General, they therefore think it would be more eligible to postpone all farther Consideration of this Matter till another Session, by which time the Forms which have been and ought to be observed on these occasions may be Settled with that decent Propriety at all times necessary in Conducting the Important Business of the Province

The House Continued till Tuesday December 5th 1769

The House met

Present

The Honble	Charles Read	John Ladd	Esq^{rs}
	John Smith	James Parker	
	Samuel Smith	Fred: Smyth	

The Chief Justice reported that he had obeyed the Order of the House of Yesterday.

The Council taking into Consideration the Message from the House of Assembly of Saturday last relative to the Bill

Entituled An Act to prescribe the Mode of Security to be given by the Treasurers of this Colony.

Resolved, that this House do adhere to the Amendments made to the said Bill.

Ordered, that Mr Parker do aquaint the House of Assembly with the said Resolution.

Mr Parker reported that he had Obeyed the Order of the House.

The Council taking into Consideration the Message from the House of Assembly of Saturday last relative to the Amendments made by this House to the Bill Entituled An Act for the more speedy recovering of Debts above ten Pounds and under fifty Pounds &c

Resolved, that this House do recede from the Amendmts disagreed to by the House of Assembly.

Ordered, that Mr John Smith do acquaint the House of Assembly with the said Resolution.

Mr John Smith reported that he had obeyed the Order of the House

A Message from the House of Assembly in the following Words.

"Ordered, that Mr Berrien and Mr Smith do carry to the Council the Bill Re-ingrossed with the Councils Amendments, Entituled An Act the more effectually to regulate Ferrymen and Ferries within this Colony.

The said Re-ingrossed Bill being read and Compared

Ordered, that the Speaker do sign the same

A Message from the House of Assembly in the words following.

"The House taking into Consideration the Message of the Council by which they adhere to their Amendments of the Bill Entituled An Act to prescribe the mode of Security to be given by the Treasurers of this Colony.

"Ordered, that Mr Leaming, Mr Fisher, Mr Wetherill Mr Crane, Mr Miller, Mr Paxson, Mr Hinchman, Mr Hartshorne and Mr Price be a Committee to meet a Committee of the

Council in a free Conferrence on the Subject Matter of the said Bill and Amendments made by the Council thereto."

"Ordered, that Mr Hart and Mr Johnston do wait on the Council with this Order and desire that the Council will name a Committee to meet a Committee of the House and appoint the time and Place of meeting."

The Council taking the Message into Consideration

"Ordered, that Mr John Smith, Mr Ladd, Mr Parker and the Chief Justice be a Committee to meet the Committee of the House of Assembly on the said Free Conferrence that the same be held immediately in the Council Chamber and that Mr Read the Speaker of the Council be requested to assist at the said Conferrence.

Ordered, that Mr Ladd do acquaint the House of Assembly therewith.

Mr Ladd reported that he had Obeyed the foregoing Order.

The House Continued till Wednesday December 6th 1769.

The House met

Present

The Honble	Charles Read	John Ladd	Esqrs
	John Smith	James Parker	
	Samuel Smith	Fred Smyth	

Mr Hart and Mr Ogden from the House of Assembly presented for the Concurrence of this House a Bill Entituled An Act appointing Commissioners for supplying the several Barracks Erected in the Colony of New Jersey with Furniture and other necessaries for accomodating the Kings Troops in, and Marching thro' the same, for supplying Deficiences and for defraying Incidental Charges, which was read the first time and Ordered a Second reading.

Mr Crane and Mr Tucker from the House of Assembly presented the Bill Re-ingrossed with the Amendments agreed upon by the Council and House of Representatives Entituled An Act for the more speedy recovering Debts above ten

Pounds and under fifty Pounds &c which being read and Compared

Ordered, that the Speaker do sign the same

The Bill Entituled An Act appointing Commissioners for supplying the several Barracks &c was read a Second time and ordered a third reading.

The said Bill being read a third time

On the Question,

Resolved, that the same do Pass.

Ordered that the Speaker do sign the same

Ordered, that Mr Parker do acquaint the House of Assembly therewith.

Mr Parker reported that he had Obeyed the above Order.

Mr Johnson and Mr Hartshorne from the House of Assembly presented for the Concurrence of this House a Bill Entituled An Act to Indemnify the Treasurers of this Colony for Advancing certain Sums of Money to the Agents appointed by Law to Manage the Controversey touching the settlement of the Line between New Jersey and New York, and for other Purposes therein mentioned, which was read the first time and ordered a Second reading.

The Bill Entituled An Act to Indemnify the Treasurers, being read a Second time was ordered a third reading.

The House Continued till 3 o'Clock P. M.

The House met

Present

The Honble	Charles Read	John Ladd	Esqrs
	John Smith	James Parker	
	Samuel Smith	Fred: Smyth	

The Bill Entituled An Act to Indemnify the Treasurers of this Colony for advancing certain Sums of Money to the Agents appointed by Law to Manage the Controversey touching the settlement between New Jersey and New York was read a third time, and

On the Question

Resolved, that the same do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Ladd do acquaint that House of Assembly therewith.

Mr Ogden and Mr Paxson from the House of Assembly waited on this House to Know wether the Council had any Business before them to prevent them applying to his Excellency for a Dismission.

In Answer to which the Speaker informed them that the Council had finished all the Business before them, and had no objection to their making such application.

His Excellency came into the Council Chamber and having by the Deputy Secretary required the Attendance of the House of Assembly, the Speaker with the House attended, when his Excellency was Pleased to give his Assent to the following Acts Vizt

7 An Act appointing Commissioners for supplying the several Barracks Erected in the Colony of New Jersey with Furniture and other necessaries for accomodating the Kings Troops in, or marching through the same, for supplying Deficiences, and for Defraying incidental Charges.

8 An Act for Striking One hundred thousand Pounds in Bills of Credit.

9 An Act to settle the Quotas of the several Counties in this Colony for the Levying Taxes.

10 An Act for the Relief of Insolvent Debtors.

11 An Act for the more effectual preservation of Deer in this Colony

12 An Act for the more effectual discovery and Punishment of the Crime of Horse Stealing.

13 An Act to Erect Courts in the several Counties in this Colony for the Trial of Causes of ten Pounds and under.

14 A Supplementary Act to An Act Entituled An Act to Enable Mr Colin Campbell the present Rector of Saint Marys Church in Burlington, with the Church Wardens and

Vestry Men of said Church, or the Major part of them, to sell two hundred and Six Acres of Land in Somerset County, devised to the Ministry of said Church, and to Enable Trustees to put the same to Interest untill a Convenient Glebe can be Purchased near the said Church, and other Purposes therein mentioned.

15 An Act for the better preserving of Oysters in the Colony of New Jersey.

16 An Act for recovering of Damages for Trespasses done by Swine.

17 An Act the more effectually to regulate Ferry Men and Ferries within this Colony.

18 An Act to Indemnify the Treasurers of this Colony for advancing certain Sums of Money to the Agents appointed by Law to manage the Controversy touching the settlement of the Line between New Jersey and New York, and for other Purposes therein mentioned.

19 A Supplementary Act to the Act Entituled An Act for Explaining and Amending An Act of the General Assembly of this Province Entituled An Act for Enabling the Owners of the Meadows and Marshes, adjoining to and on both [sides] of the Creek that Surrounds the Island of Burlington to stop out the Tide from overflowing the same.

20 An Act to vacate the Sale of certain Lands in the County of Middlesex late of Thomas Leonard jun^{r} deceased and for other purposes therein mentioned.

21 An Act to maintain and repair the Publick Roads in the Township of Hanover in the County of Morris, by a Tax on the Inhabitants of the same.

22 An Act to grant certain Priviledges to the Owners of the Iron Works in the Townships of Evesham and Northampton in the County of Burlington, And of the Hibernia Iron Works in the Township of Pequanack in the County of Morris.

23 An Act to Constitute and make Great Timber Creek in Gloucester County a lawfull Fence from the mouth thereof

to the Fork of the same, and to Build and maintain a Bridge over said Creek near said Fork, from the Lands late Samuel Clements deceased, to the Lands late George Marples deceased.

24 An Act for maintaining the Banks and Sluices, and draining the Meadows on Mannington Creek in the County of Salem, and repealing An Act Entituled An Act to Enable the Owners of the Meadows and Marshes adjoining to and on both sides of Mannington Creek to stop out the Tide from overflowing them.

25 An Act for the Relief of Isaac Bonnell Esq. High Sheriff of Middlesex with respect to escapes

26 An Act to Naturalize Christopher Bishop & others

After which his Excellency prorogued the General Assembly to Tuesday the Second day of January next, then to meet at Perth Amboy.

A true Copy of the Minutes

CHA PETTIT, D. Clerk

[L. S.] At a Council held at Burlington on Tuesday the 20th of March 1770.

Present

His Excellency William Franklin Esquire Governor in Chief &c

The Right Honble The Earl of Stirling

The Honble Charles Read, John Smith, John Ladd, John Stevens, James Parker, Samuel Smith, Richard Stockton Esqrs

His Excellency laid before the Board a Letter from the Attorney General to Mr Justice Read, giving Information that one Howell, suspected of being concerned in a Murder lately committed in the County of Middlesex, is confined in

one of His Majestys Gaols in the Colony of Virginia: and his Excellency at the same time acquainted the Board that there was no Publick provision for defraying the expence of sending for the said Prisoner.

The Council advised his Excellency to send a Message to the House of Assembly requesting that they will make Provision for defraying such Expence.

Whereupon his Excellency was pleased to send a Message to the House of Assembly in the Words following.

Gentlemen

Mr Read one of the Justices of the Supreme Court, has represented to me that one Howell, who is accused of having lately committed a barbarous Murder in Piscataway within this Province, is apprehended and confined in a Gaol in Virginia, and that it is necessary to send one or more Persons to bring the said Howell to New Jersey in order that he may be brought to Justice. There being however no Provision whatever made for Contingent Expences in this Government no Persons can be got to go upon this Service, unless some Assurances are given them they shall be paid for their Trouble and Expences on the Occasion.

I must therefore recommend this matter to your Consideration, and request you to make Provision accordingly.

Council Chamber
March 20th 1770

Wm Franklin

At a Council held at Burlington on Wednesday the 21st of March 1770

Present

His Excellency William Franklin Esq. Governor in Chief &c

The Rt Hoñble The Earl of Stirling

The Hoñble Charles Read, John Smith, John Stevens, Samuel Smith, John Ladd, James Parker, Richard Stockton Esqrs.

His Excellency was pleased to lay before the Board a Message he received this Day from the House of Assembly in Answer to his Excellencys Message of Yesterday which is in the Words following.

House of Assembly March 21st 1770

Ordered.

That Mr Paxson and Mr Crane do wait on his Excellency and Inform him that this House have taken into Consideration his Excellencys Message, and will make Provision to defray the Expence attending the bringing Daniel Howell from Virginia that he may be tried for the late barbarous Murder of William Daniels in Piscataway, and request his Excellency to direct that the said Howell may be sent for as soon as possible.

That his Excellency will also be pleased to issue a Proclamation offering a Reward of Twenty five Pounds for the discovering and bringing to condign punishment the Person or Persons that set fire to the Stables and Out Houses of the Honourable David Ogden Esq. in January last.

By Order of the House

Richd Smith Clk

The Council Advised his Excellency to issue a Proclamation agreeable to the request in the above Message

Whereupon his Excellency was pleased to issue a Proclamation in the following words.

[L. S.] By His Excellency William Franklin Esq. Captain General Governor and Commander in Chief in and over the Province of New Jersey and Territories thereon depending in America. Chancellor and Vice Admiral in the same &c

A Proclamation

Whereas I have received Information that on the night of the ninth day of January last, the Stable and some other out

Buildings of the Honourable David Ogden Esq. were consumed by Fire: and that there is great Reason to believe they were wilfully set on Fire by some wicked Person or Persons unknown. And Whereas the House of Assembly of this Province by their Message of this day, have requested me to issue a proclamation offering a reward of twenty five Pounds for the discovering and bringing to condign Punishment the Person or Persons guilty of that attrocious and alarming Villany. I have therefore thought fit, by and with the Advice and Consent of his Majestys Council, to issue this Proclamation hereby requiring and commanding all Judges, Justices of the Peace, Sheriffs and other Officers to be particularly vigilent in detecting the Perpetrator or Perpetrators of so horrid a Crime, and promising the said reward of twenty five Pounds to any Person or Persons who shall discover the said Offender or Offenders so that he she or they be convicted of the said Crime.

And I do hereby farther promise his Majestys most gracious Pardon to any Accomplice who shall discover and Prosecute to Conviction any one or more of the said Offenders.

Given under my Hand and Seal at Arms at the City of Burlington in the said Province of New Jersey the twenty first day of March in the tenth Year of his Majestys Reign Anno Domini 1770.

Wm Franklin

By His Excellencys Command

Cha Pettit D. Secretr

God save the King

His Excellency informed the Board that the Committees appointed by this Board on the twenty fourth of November last to consider whether the Governor is duly Authorized to execute the Office of Chancellor of this Province had severally transmitted to him their Opinions in writing which his Excellency was pleased to lay before the Board, and they were read, and are in the words following.

{ Mr Stocktons Opinion } 1st His Excellency the Governor of New Jersey having asked the Advice of his Majestys Council of the same province respecting the Power of the Governor to hold a Court of Equity, and to sit as the Judge thereof. And the Council having referred the Consideration of the Matter to a Committee of five of their Members. As one of the said Committee I report that I am humbly of Opinion that the Governor and Commander in Chief of this Province, for the time being is duly Authorized to hold a Court of Equity, and to sit as the Judge thereof.

And as the Subject is of very great Importance in itself, and peculiarly interesting to the Province in General, I have thought it expedient to Subjoin the Reasons of my Opinion In forming of it, I have considered the Subject under these two Questions, to wit.

1st Whether a Court of Equity does exist in this Province? and

2dly Whether the Governor is Judge of it?

The Reasons which have Induced Me to believe that a Court of Equity does exist in this Province, among others, are

1st Because the four Courts of Wesminster Hall, to wit, the Chancery, Kings Bench, Common Pleas, & Exchequer owe their existence to the Common Law of England; and not to any Statute of Parliament, or Ordinance or Proclamation of the Crown; every Colony therefore migrating from the Mother Country to a new discover'd Country bring with them, as part of the Common Law the Jurisdiction of these several Courts, or in other words, a Right of having themselves and their Property adjudged according to the Ordinary Course of Proceedings in these Courts, and all that is wanting in such newly discovered Country, is for the King to Commissionate Proper Judges; the Courts being ready erected to his Hand. It has therefore been very properly doubted whether any of these Courts needed at first, or ought to have been raised in

Salk. 411.

the Kings Colonies by Ordinance from the Crown: as it is certain, the King cannot by his Prerogative make the least alteration even in the manner of proceedings in these Courts in England

2 Hawk 2 Sect. 3
4 Inst 73

2dly Because many Writs which have continually issued in this Province, and to which the Subject has an indubitable right by the Constitution, cannot issue from any other Court than a Court of Chancery.

This Court as to its Ordinary Jurisdiction my Lord Coke and other writers call the "*Officina Justitia* out of which "all Original Writs, and all Commissions, which "pass under the Great Seal go forth, which Great "Seal is *Clavis Regni*, and for those Ends this "Court is ever open. And by some it is called *Officina Brevium originalium, and remedialium.* Original Writs, such as those of Dower, Replevin, Partition &c[a] are called the Kings Writs, because they issue out of the Court of Chancery, and are Tested in his name, in contradistinction to judicial Writs which are Tested in the name of the Chief Justice of the Court from whence they issued: And the Kings Writs are to be granted to the Subject *ex debito justitiæ*, and cannot be denied wherefore as the Kings Subjects of this Colony have an undoubted right to his Writs, and have continually obtained them from the first settlement of the Province; and for as much as these Writs cannot be issued but from the Ordinary Court of Chancery, the Consequence is inevitable, that an Ordinary Court of Chancery must exist in this Province, And if an Ordinary Court of Chancery exists as an *Officina Brevium* there can be no reason why the *Extraordinary* Court of Chancery, or a Court of Equity should not exist, as the Judge of one is always the Judge of the other, and the two Courts of Ordinary and Extraordinary Jurisdiction cannot be now disunited, but by Act of Parliament.

4. Inst. 80

Curs Cancel 3

1. Inst 40. Mirror of Just fol. 3. 4. Inst. 78.

3dly Because We have adopted in this Colony the Law &

Practice of the other Courts of Westminster Hall, and therefore, We must of necessity have the same relief in Equity from the severity of some legal determinations—To say the Contrary would be to say that there was a right without any Remedy, which is against a principle of Law, as well as the Common Sense of Mankind. This very necessity gave Jurisdiction at first to the Equity side of Chancery in England, as is most Evident from the Laws and Customs of the Realm in the Antient Times of the British, Saxon, and Danish Kings, when the King himself in Person held a Court similar to the Equity side of the Chancery to moderate the *Summum Jus* as it was called and to give Relief according to good Conscience, wherefore if the Equity side of the Chancery could be supposed not to exist in this Colony, We must be driven by the Constitution to conclude as the most rational Alternative that the Antient Right to moderate the *Summum jus* was still vested in the Kings person, and would attach to his Governor as his Representative here.

1. Salk 21.

Curs Cancel 1. 2. 1-Hor Pract. 5. 6.

This reasoning is so far from being invalidated that it is established by the Practice of some Charter & Proprietary Governments, where a Court of Chancery does not *exprofesso* exercise jurisdiction—There the Courts of Law have not adopted the Rigour of the legal Determination in Westminster Hall: but they take upon them to moderate the *Summum jus* themselves: and their Judges do often determine directly against the Rules of Law, when they happen to thwart a principle of Equity. It is giving us a very strong Evidence indeed, of their Idea of the necessity of a Court of Equity, when they let its principles supercede their legal determination in the first instance without calling for the Ordinary Process of the Court.

The *Principle* therefore upon which these other Governments have gone, is evidently in favour of *some kind* of existence of a Court of Equity: and they have only erred in their *practice* by erecting as many Courts of Equity as they

have of Law, and by their several Judges of the Courts of Law taking upon themselves to be Judges of a Court of Equity. If We were with them to deny the distinct Existence of a Court of Equity We must then undoubtedly make a total alteration in the present Mode of determining in our Courts of Law: or else We should run into a greater absurdity than even they have, and exclude Equity altogether.

What also induces me to believe that a Court of Equity does exist in this Colony is

4thly Because such Court has actually excercised Jurisdiction here from time immemorial, & therefore might exist *solely* from prescription.

Orig Constitu: of N. Jersey 370.

It is evident from an Act of Assembly of East Jersey passed in the Year 1698 that a Court of Chancery then exercised Jurisdiction in that part of the Province, for the Act recognizes it as *then* in being: and how long before it had exercised Jusisdiction We Know not: for aught appearing to the Contrary, such Court may have exercised Jurisdiction from the Beginning of Government in both East and West Jersey. It is Also evident that upon the Surrendry of the Governmt of New Jersey by the Proprietors into the Hands of the Crown, the first Governor soon after his Arrival in the Province, together with the Council, conceiving that a Court of Chancery ought to exist, by *Ordinance* from the *Crown*, did pass such Ordinance, and that a Court of Chancery has invariably exercised Jurisdiction throughout the Province to the present times.

Minutes of Council A. D. 1704.

This is sufficient to every legal intent of a prescription—for prescription at the Common Law *is time whereof there is no memory of Man to the Contrary;* and Bracton says, *Usus qui excedit memoriam hominum: tale enim tempus sufficit pro jure.* There is no Man living, it is presumed, who can point out a time, since the Government of this Colony began, and shew that *then* no Court of Chancery did Exist here. "It might therefore be

Lit sut 170
1 Inst 114 E
Bract. Lib. 4. fol. 230

inconvenient" as My Lord C. J. Hale, and J. Tuisden said in Considering an Objection made to the Authority of the Court of Equity of the Dutchy Chamber of Lancaster "to "Examine their Power *after so long continuance and Practice.*

"*As by the Precedents now Produced it appears*
2 Liv. 24 "*to be used without further examination.*" 2 Liv. 211 Foster against Pallen—It does not Affect the prescription of the Court of Equity in this Colony, that it has been held in *different ways, and by different Judges.* if it could the four Courts of Westminster Hall cannot exist by Prescription, because they have all been continually varying in these and other instances before the Reign of William the Conquerer, the King as has been said, Moderated the *Summum jus* upon appeals made to him, and there-
Gilb Hist. of C. Pleas Intro 9. fore in that period He acted as the only Judge in Equity during the time of the Conquerer, and from thence till the Reign of King John, the Courts now called Chancery, Kings Bench, Common Pleas and Exchequer were *mixed* and all had the *same Judges* stiled *Justiciarii,* when they sat in the Hall, they were a Court Criminal, and when up Stairs a Court of Revenue;
Curs Cancel 18. the Civil pleas they heared in either Court. The Chief of these *Justiciarii* was *Superior* to the Chancellor, during this period, and long after; altho' he is now *Inferior.* The Chancery did not take up the
4 Inst 83. Equity side till about the Reign of Henry 6th till then it was only the *Officina Brevium:* and since it took up the Equity side, this Court has greatly increased in its Jurisdiction, and varied in its practice.
Curs Can 3. 4. 5. 1. Haw. 12. Sequestrations were never practised till my Lord Bacons time in the Reign of Queen Elizabeth: and before the Reign of Queen Anne Subpœna preceded the Bill of Complaint. Nevertheless all these alterations in the nature of the Court, the number & Quality of the Judges, and the Mode of Practice have not Affected the Prescription and Existence of this Court in England, as it

is now held, and for the same Reason the Alterations which in different Periods have been made in the manner of holding a Court of Chancery in this Province cannot destroy or Affect the Prescription which, in its behalf may now legally be claimed.

These Reasons have been sufficient to satisfy me upon the first Question, that a Court of Equity does exist in this Colony—

And as to the—

2^{d} Whether the Governor and Commander in Chief is the Judge?—The following Reasons have inclined me to be of Opinion that he is.

1st Because the King, by the English Constitution was vested with a power to hear appeals from legal adjudications, and to Moderate them according to Equity and good Conscience, *before there was another Court appointed for that purpose:* and therefore the Governor of a Province, being the Chief Magistrate therein, and the immediate Representative of his Sovereign, must be invested with the same equitable Jurisdiction—The Authorities in Support of this Ancient Jurisdiction of the King, have been noted under the first Question, and therefore need not be repeated.

Wherefore *upon supposition,* that the Equity side of a Court of Chancery did not Exist in this Colony; yet it would seem that the Governor must notwithstanding be impowerd by the Constitution to Moderate the *Summum jus,* upon Appeals made to him for that purpose; and so would be Judge of a Court of Equity, altho' not Judge of a Court of Chancery.

But a principal reason for the Power of the Governor to sit as Judge of the Equity side of the Court of Chancery in this Colony is.—

2^{dly} Because he is the Keeper of the Great Seal of the Province.

It is not of any Importance whether We will call it the Great Seal or Publick Seal, as these two denominations are

synonimously used by the King in his Commission to the Governor, nor need it be Contended whether the Governor should be Stiled Chancellor or Keeper, as each of those great officers are now by the 5th of Eliz: invested with the same powers and Authorities, yet I confess, that the Stile of *Keeper of the Great Seal* seems more proper for the Plantation Governor: because there is an Additional Formality in constituting of a Chancellor not necessary in that of a Keeper, and which Formality has not I believe been generally practised in the case of a Governor but undoubtedly may be. The Keeper of the Great Seal of Great Britain is constituted *barely* by the Delivery of the Seal: but the Chancellor after receiving the Seal from the King, has an Entry made upon the Close Roll in the Court of Chancery, on what day & in whose presence the Great Seal was delivered. And formerly when the Office of Chancellor & Keeper was distinct there [was] yet a greater difference in their Creation—The Keeper was ever Solely at the Nomination of the King but the Chancellor was often Elected by the Parliament The Chancellor was Sworn at his Entrance into Office, the Keeper never was; and in the time of Hen. 2d the form of the Appointment was to hang the Seal about the Neck of the Chancellor Elect. But the Denomination [was] of little moment—The Grand Inquiry is whether the Delivery of the Great Seal of this Colony to the Governor does *ipso facto* constitute him the Judge of the Court of Equity. To shew this, let it be Considered that the Great or Publick Seal of this Colony is used for the same purposes, and has the same Effects *here* as the Great Seal of Great Britain *there*—with it are Sealed all Original Writs, Summons of Parliament, Commissions of the Peace, Oyer and Terminer, Pardons &c. &c *there* & with the Great Seal of this Province the same Writs, Summons of General Assembly, Commissions &c are Sealed *here*—These Writs, Summons's

4. Inst 87.

1. Har. 18. Cambl Hist. Chan 180. Curs. Can 21.

Curs. Can. 19.

Camd. 138. 4. Inst. 87.

&c *there* cannot possibly issue but from the Chancery of Great Britain, so neither can they *here* but from the Chancery of this Province—The Keeper of the Great Seal of Great Britain *ex Officio*, is the Sole Judge of the Court of Chancery *there*, both on the Law & Equity side; and for the same reason the Keeper of the Great Seal of this Colony must, *ex Officio* be Sole Judge of the Court of Chancery *here*, both on the Law & Equity side. If a Court of Chancery exists in this Province, the Keeper of the Great Seal must be the Sole Judge of it; and a Court of Chancery, as *Officina Brevium*, must exist here, or else no Original Writ ever was or ever can be regularly issued in this Province. The Power of the Kings Governor in the Colonies to Act as Judge of a Court of Chancery within his Province never appears to have been made a matter of such Doubt as to cause an Application to his Majesty or his Judges in England for any directions or Opinion therein, And therefore it is not to be expected that any express Adjudication upon this point should be found. But the Case of Sir John Tryer and Bernard in 2 Peere Williams 261, is at least a full evidence of its being a received Opinion by my Lord Chancellor in England, that a Plantation Governor was Judge of a Court of Chancery within his Province, and that an Appeal lay from Decrees in Equity made by him to the King in Council only—The above Case arose upon a Decree given by the Chancellor of England against the Defendant, who, upon inquiry was found to have no Estate in England, whereupon a Motion was made for a Sequestration against the Defendants Estate in *Ireland;* In support of the Motion it was Alledged that such Process had been Awarded by the Chancery in England to the Governor of North Carolina; and therefore might go to Ireland. My Lord Chancellor gave his Opinion that a Sequestration might be granted after *Nulla Bona* returned in England; but said that it should be by Order from the Lord Chancellor in England to the Lord Chancellor in Ireland to Issue Sequestration and then added

2 P. Wms 261.

"As to the Sequestration mentioned to be directed to the "Governor of North Carolina *or any other of the Plantations* "the Court Doubted much whether such a Sequestration "should not be directed *by the King in Council, where alone* "*an Appeal lies from the Decrees in the Plantations*, for which "reason it seemed that, *in such case* the Plaintiff ought to "make his Application to the King in Council and not to "this Court." Here my Lord Chancellor evidently Admits that a Sequestration may be directed to the Governor of North Carolina, or any other Plantation Governor, as well as to the Lord Chancellor of Ireland; which amounts to the same thing. As expressly saying that a Plantation Governor is Judge of a Court of Equity: because no other Judge can have anything to do with a Sequestration: He only doubts if such Sequestration should not be directed by the King in Council to the Governor, as the only Court having Jurisdiction.

Several Objections have been made to the Authority of the Governor of this Province, acting as Judge of the Court of Equity—as

1st That the Seal of this Colony is called in the Kings Instructions a *Publick Seal* and may be likened to the Seal of a Corporation; and therefore the Delivery of it to the Governor cannot make him Judge of a Court of Equity.

This Objection will appear to have no Foundation, when it is considered that the Constitution & Government of a Colony is essentially different from those of a Corporation. An Instance or two, among many will be sufficient for this Place.—The Legislature of this Colony *can & often have* by their Acts erected Corporations; which Acts have received the Kings Approbation; but the great Corporation of London or any other aggregate Corporation that ever existed cannot Erect another Corporation; as is evident from a number of the best Authorities; and therefore the Seal of a Colony cannot have the least resemblance to a Seal of a Corporation. Besides the

10 Co. 31. 1 Sid. 291. 1. Salk. 92. 193.

Members of every Corporation in England have, Notwithstanding their own Courts, the Priviledge of resorting to the Kings Courts of Westminster, and cannot be restrained: but in this Colony We cannot apply to the Courts of Westminster for the Institution or Determination of any Suit arising in the Colony, and if We had not Courts of *Compleat Jurisdiction* of our own, We should be in a State of Outlawry: a Colony therefore in this respect, is very unlike to a Corporation, and consequently the Seal of a Corporation to that of a Colony.—The Counties Palatine of Chester, Lancaster & Durham, are not so unlike a Corporation, as a Colony is: and yet their Seals are not likened to the Seal of a Corporation, but *because the Kings Writs do not run there*, they have severally Courts of Compleat Jurisdiction and each of them a Court of Equity.—A

4. Inst from 20 to 220.

2[d] Objection has been made that the Governor of this Colony by a Royal Instruction is Prohibited from executing by himself or Deputy any Judicial Office, and therefore he cannot be the Judge of the Court of Equity.

If this Instruction be of the same import as the 41[st] Instruction to Lord Cornbury, formerly Governor of this province, it evidently intends only to inhibit the Governor from executing any Office which he is enabled by his *Commission & Instruction to grant:* such as the Ordinary Judges of the Courts of Law, & Justices of the Peace.—The Instruction after directing that *Judges & Justices* of the peace must be appointed with the Advice of the Council adds "nor shall you execute your self or by Deputy any of the s[d] Offices," not meaning surely that he should be prohibited from executing any *Judicial Office;* because such Interpretation would disqualify him from Judging in the Court of Governor and Council; which by the same set of Instructions is constituted the Supreme Court of Law in the Province for correcting of Errors; and the Governors presence is absolutely necessary to the very being of the Court. The Instruction therefore cannot intend any Office that the Governor is not Able with

the Advice of the Council to grant: but the Governor cannot with the Advice of the Council, grant the Office of the Supreme Judge of the Court of Equity: because he himself is directed to keep the Seal:—and therefore the Instruction most clearly cannot intend to prohibit the Governor from executing the Office of the Judge of the Court of Equity.

A 3d Objection has been started that by another Instruction from the Crown, Appeals lie *from the Courts in the province* to the Governor & Council: and it would be absurd to suppose that an Appeal could lie from the Governor to the Governor & Council.

This Instruction can intend nothing more than Appeals in Error from the Courts of Law: for several reasons—One which of itself seems sufficient for this place, is, that an Appeal only lies to the King in Council from *the* 2. P. Wm. 261. *Decrees in the Plantations*, as appears from the fore cited Case from 2 P Wms 261. A

4th Objection has been raised, that the Governor by his Commission is impowered with the Consent of the Council, to erect any Courts for hearing & determining Causes *according to Law and Equity* and it appears from the Records of this province that a Court of Chancery was first, after the Surrendry of the Government, erected here by an Ordinance passed by the Governor & Council, wherein the Governor & Council were appointed Judges of the sd Court.

To which it is answered, that this Clause in the Governors Commission never intended to give him Power to Create a Court of Equity. The King himself has not power to do it, for this Court must either exist by prescription or 4. Inst. 87. 213. Act of Parliament: but can in no case be raised by grant from the Crown. The Governors & Councils therefore, in the times of my Lords Cornbury and Lovelace, committed Great Error in attempting to Erect, by Prerogative, a Court which really did exist by the Common Law.—Their Ordinance was absurd & a mere nullity: but the maxim of *utile per inutile non vitiatur* is founded upon

good reason. The legal and Constitutional existence of this Court was not Affected by an Attempt to make it an unconstitutional Court. And of this Opinion was the Council in the time of Governor Hunter. They saw the Error of their Predecessors and declared that *the Governor having the Custody of the Seal is by that constituted Chancellor.* The Court having been supposed thro' mistake, to arise merely upon the Ordinance, and improper Judges having in Consequence thereof sat in that Court, could not be any reasonable Objection to the same Court being held regularly by the proper Judges when the mistake was discovered—A

5th Objection has been made that there is no Person appointed to Administer the Oath of Chancellor or Keeper to the Governor.

To this it is answered that the Members of his Majestys Council or any three of them are directed in the Governors Commission to Administer the State Oaths to him, together with the Oath of Office: And *an Oath for the equal and impartial Administration of Justice,* in all Causes that shall come before him; which seems very Sufficient to enable them to Administer the Oath of any Office with which he may be invested.

Vid. Mins Coun from Time of Govr Hunter to Govr Bernard

And it is evident in fact, that the Oath of Chancellor in so many words, has been Administered to several of the Governors & other Commanders in Chief of this Province; and by the same Authority might have been Administered to every one of them. So that if the Governor be the Judge of the Court of Equity, there is no Doubt but the Council are impowerd to Administer the Oath of Office.

Such are the Reasons of my Opinion upon this important point: and I am happy in having been able to satisfy myself—Nevertheless they are humbly submitted to better Judges.

Richd Stockton

Jany 27th 1770.

As His Excellency Governor Franklin has no special Commission from his Majesty, appointing him Chancellor of the Province of New Jersey; or any Authority whatsoever given to him by his General Commission as Governor, impowering him Solely to hold any Court for the Adjudication of Causes in a Course of Equity.

I am of Opinion he is not legally Authorized to proceed in the Business of the Court, called the Court of Chancery in this Province, so far as relates to the making any equitable adjudications upon Causes now depending or hereafter to be brought into that Court.

FRE SMYTH

Extract of a Letter from the Chief Justice to his Excellency inclosing the above Opinion.

Amboy December 24th 1769.

Sir,

Enclosed you have my Opinion on the Subject of your Excellencys question proposed to me as one of the Committee of the Council. I have given only a plain Answer to the question, as I don't remember any particular reasons were desired with our opinions; however as it may be some satisfaction to your Excellency, I shall mention some of the Reasons & Authorities on which I have founded my opinion.

A Court of Chancery I think is essentially necessary to the Constitutional Government of the Province, one of the Rights of the People the most valuable of their Rights, is, to have a regular Administration of Justice, a legal establishment of Courts of Judicature, is also absolutely necessary, and as necessary that the Judges to preside in those Courts should have legal unquestionable appointments, more especially Judges in Courts of Equity, but what other grounds, have We for the establishment of a Court of Chancery in this province but merely usage & Custom; which I will admit ought to have some Weight, but I doubt is not alone sufficient; but that the Governor of the Province ex Officio

should be invested with the Authority of a Chancellor or a Judge in Equity without any other Commission for that purpose, I cannot comprehend. As Chief Justice of the Province I never thought myself impowered to hold a Court of Oyer & Treminer or Gaol Delivery without a special Commission, tho' in that respect I should be much more in my Office than a Captain General in a Court of Equity. If we turn our thoughts, upon this occasion to the Mode of appointing the Lord Chancellor, or Lord Keeper of the Great Seal in England, compared with your circumstances, very little similitude will be found. The Lord Chancellor is expressly so named by the King.—has the Great Seal delivered to him, and takes an Oath faithfully to discharge the Duty of his Office. The Lord Keeper in like manner is expressly constituted to that Office, has the great Seal delivered to him, and takes an Oath of Office—is our Chancellor or Keeper so appointed, or Constituted? no nomination to the Office by the King—no Oath of Office taken—and as to our great Seal, the King calls it a Publick Seal of the Province, in nature of a Corporation Seal, and tho' sometimes used for the same purposes as the Great Seal in England, is very often applied to set a face on Transactions utterly unknown to that Seal. If however it should be thought that the Delivery of the Seal, such as it is, constitutes a Colony Chancellor or Judge in a Court of Equity in this Province, I am furnished with some few Historical facts, which I think clearly evince the Contrary, and which I shall therefore submit to your Excellencys consideration.

As the point for our Opinion, as stated in your question (if I remember right,) was only as to your Authority as a Judge on the Equity side of the Court of Chancery, I do Admit that the Lord Keeper has in himself the Chancellors power in Law, or as it commonly expressed the Chancellors Ordinary Jurisdiction proceeding in a Course of Law, by being Keeper of the Great Seal; but before the statute 5th Eliz: C. 18. he was not generally taken to have the Judicial

Power in Equity, without a particular grant from the Crown for that purpose. If therefore it should be admitted that the proceedings on the Law side of our Court of Chancery are regular in consequence of the Publick Seal of the province delivered to the Governor I think however in order to make the proceedings Also regular, on the Equity side of that Court, some special Commission from the Crown, should be obtained, or a Law of the province passed, declaring and establishing the Authority of the Governor to Act as Chancellor in every respect.

The transactions relative to Sir Nicholas Bacon in England, and some proceedings in an American Government will I think show the necessity that some such Course should be pursued in this province.

Sir Nicholas Bacon was made Keeper of the Great Seal in the first Year of the Reign of Queen Elizabeth, and having omitted to take any Special grant from the Queen to hear Causes in the Court of Chancery; some Months after his appointment procured the following Grant, the Language of which will best show for what purpose he obtained it.

"Elizabeth by the Grace of God &c To all and singular "our Subjects Greeting. Whereas We of our special Grace "have deputed and assigned our Trusty and welbeloved "Counsellor Nicholas Bacon Knight to be Keeper of our "Great Seal. Know that We by these presents, do give full "Power and Authority to the same Nicholas Bacon as well "to hear examine and determine, all Causes, Offences, Con-"tempts and matter of whatsoever kind or nature they be of, "as to do and use himself in every thing and things with "our s^{d} Seal in as large, and Ample manner as our Chan-"cellor of England might do. And that he shall have the "same power and Authority in every behalf touching the "Premises as if he were our Chancellor, And further We "grant for us our Heirs and Successors, that all Acts and "things done or suffered to be done by the said Nicholas at "any time since the Committing of the custody of the said

"Seal to his Hands, shall be as good and effectual to all "intents and purposes, as if he had been Chancellor at the "time of doing or suffering of any such Act or thing: or "that he his Heirs or Executors shall in no wise be impeached "or answerable for any such Act or thing: and that these "our Letters patents shall be to him sufficient Warrant for "the same. In Witness whereof &c Witness the Queen at "Westminster &c—

This Grant clearly shows that this Lord Keeper did not Imagine that he had power by virtue of that Office to determine all Causes in Chancery as the Chancellor without a particular Grant from the Crown to that purpose and having determined some, without such Authority, he did not argue as I expect some persons will do in this Country, that such Decrees must be good, because the properties of so many of the Subjects depended on them, or that it had been the usage for the Practitioners of the Law from time to time, to apply to him as Lord Keeper for such Decrees, or because certain political inconveniences would follow; but We see that Sir Nicholas Bacon applied himself to legal and proper remedies: he first procured the Queens Authority to make them good, and afterwards the Stat: of the 5th of the Queen C. 13. was made to declare the common Law to be, that the Keeper of the great Seal of England of right hath the same Jurisdiction, execution of Laws and all other Customs as of right belongeth to the Office of Lord Chancellor of England for the time being.—Sir Henry Spelmans observation on that Act of Parliament is, that for *the Benefit of* that most wise Counsellor Sir Nicholas Bacon it was declared by this Law that the Authority of the Keeper of the Great Seal and of the Chancellor was the same (see Stat. 5th Eliz: cap. 18.)

It appears by the Preamble of this Law that before the making of it some doubt or question was risen whether the like Jurisdiction and Power did belong to the Office of Lord Keeper, as to the Office of Lord Chancellor, indeed if the Law in this particular had not before this time been taken

to be doubtfull, the said Act of Parliament as well as the said Grant or Pardon of the Queens to Sir Nicholas Bacon, would both of them [have] been useless, and to no purpose. And it is observable in another instance which I will mention, how very particularly the Authority of Judges in the High Court of Chancery have at all times been ascertained, for notwithstanding this Act of 5. Eliz: cap. 18. which declares the common Law to be, that the Keeper of the Great Seal had the same Jurisdiction as the Chancellor, yet it was not apprehended to extend to Commissioners for the Custody of the Great Seal. And therefore again for preventing all Doubts and questions that might arise whether all or any of the Authorities, Jurisdictions and Powers of the Chancellor or Keeper might be exercised by Commissioners, the Stat. 1st Will. & Ma: cap. 21. was passed. Entituled An Act for enabling Lords Commissioners for the Custody of the Great Seal to Exercise the Office of Lord Chancellor, or Lord Keeper of the Great Seal, see Stat. 1st W & M. C. 21.

From this last circumstance with respect to the Commissioners of the Great Seal, I must think the natural inferrence to be drawn is, that if the Commissioners had had all the power of the Chancellor by virtue of their Commission or Office, what need had there been for this last Act of Parliament? but this Act and that of 5th Eliz: ca. 18. and the special Grant to Sir Nicholas Bacon to exercise the same Jurisdiction as the Chancellor, do all plainly show, that as there were doubts as to the Authority and extent of the Jurisdiction of the Ld Keeper, and the Commissioners of the Seal, Laws were passed to remove these Doubts, and to establish the matter indisputably, and allow Me to add that if the Ld Keeper was precluded a Jurisdiction in Equity in the Court of Chancery in England without a special Grant or Commission from the Crown, surely there is as much or more reason that the Governor of a Colony should be furnished with some such Special Grant or Commission appointing him

Chancellor or Judge in Equity, with sufficient Authorities to discharge the Office of a Chancellor.

I mentioned above that some Transactions in an American Government might afford some light to help us through our difficulties in this province.

By the antient usage and Custom in the Island of Barbados the Governor and Council hear and determine all Causes in Equity, keeping strictly to the forms of practice observed in the Court of Chancery in England.

In the Year 1655 a Law of the Island passed reciting That Whereas for the Speedy and due Administration of "Justice, and right to all, it hath anciently been the Custom "and common practice within this Island for the Governor "and Council to hear and determine all Writs of Error, "*Petitions of Grievances*, and all other equitable matters "whatsoever, which have come and been presented before "them, that this course of Administering equal right to the "people was adjudged by the Representative Body of this "Island best and most expedient. It is therefore the desire "of the Gentlemen of the Assembly to the Governor and "Council that it may be Enacted and ordained, And be it "Enacted &c that the said Custom and Usage of hearing and "determining all Writs of Error petitions of Equitable "Causes and other such like matters by and before the Gover-"nor and Council do continue and be in force according to "the Antient Custom and practice within this Island. Any "Law to the Contrary Notwithstanding.

As this Law passed in the Island during the usurpation of Oliver Cromwell, we cannot expect to find any Confirmation of it in England in the usual Course, but the practice in the Court of Chancery in the Island Continued upon the footing established by the above Law, until the Year 1720, when in effect it has a confirmation by the Lords Justices in the absence of King George 1st in the following words vizt

At the Council Chamber White Hall 12th Octr 1720.

Present
Abp of Canterbury
Lord Chancellor &c, &c, &c, &c, &c, &c,

"Whereas their Excellencies the Lords Justices in Council "having proceeded to hear divers Complaints against Robert "Lowther Esq. Governor of Barbados in several of which "Complaints it appears that the Governor and Council of the "said Island, had taken upon them to hear several Matters "in a Court of Grievance; in which they had exceeded the "Bounds of their Jurisdiction, they therefore declare that "the proper Jurisdiction of the Court held before the Gover-"nor and Council in Barbadoes in matters Cognizable in "any of the Courts of Common Law in the said Island is "only to correct the Errors and grievances arising in the proceedings of the said Courts, and not to proceed originally in any Causes *except upon Petitions in Matters of Equity.*"

Such a Law passed in New Jersey with such a Confirmation would have prevented our present Doubts.

I also find that some Doubts arose in Barbados as to the Authority of the Council to sit and Judge in matters of Equity without a distinct Oath more fully to qualify them for that purpose, It was therefore Enacted by a Law which passed in the Year 1692, That no person shall be admitted to sit and Judge in matters of Equity untill he takes the Oath thereby prescribed, which the Governor is to Administer to the Council; and take the same of his own Administration.

I need not trouble your Excellency with any remarks upon these proceedings in Barbados, except that I think the Legislature there have shown their precedence by removing doubts in the most effectual manner in their Power.—I could produce some other Instances from that Colony where doubts arose as to some proceedings in their Court of Exchequer, which Doubts they removed by a Positive Law, but as those

matters are not so directly in point as those I have mentioned above I shall not take any farther notice of them.

Upon the whole as the Crown has made such Ample Provision for the Administration of Justice in a Court of Error or Appeal in this province, It is to be presumed the like provision upon application to the Crown would be made for a Court of Chancery, As it is Evident that such a Court is equally as necessary as a Court of Error or appeal in the province.

I am &c^{a}

FRE: SMYTH.

3^{d}

Sam̃ Smiths Opinion } On considering the Question proposed to the Council by the Governor relating to doubts that had arisen respecting the Authority of the Governor to execute the Office of Chancellor, in this Province.

I am of Opinion, Lord Cornbury's having the public Seal delivered to him, and a Commission impowering him with advice & consent of Council to constitute & establish *all Courts of Law & Equity* in this Province, justified the original establishment of the Court of Chancery here, and that the present Governor having the Seal, and being invested with the same Authority in his Commission is sufficient for him with the Advice & Consent of Council to continue it.

1st Because I conceive the words alluded to in the Commission cannot with propriety bear an adequate meaning without including such a Power.

2^{d} Because by the printed minutes of Council of New York it appears that a Commission of the same import was so determined by the Lords Com^{rs} for Trade & Plantations, as by their Report, dated *Whitehall June 12th 1712* in the same printed Minutes may be seen.

3. Because the words of the said Commission in the same manner construed by Lord Cornbury, the first Governor after the Surrender of the Government of this Province to the Crown, who was doubtless privy if not to the drawing up,

yet to the original design of ev'ry part of the Commission and Instructions & who with his Council were most likely to Know their meaning and intention, and must have Known if there had been any room for a doubt, yet they together in consequence of those words in the Commission did by Ordinance establish a Court of Chancery, to be held by the Governor & such of the Council, as took the Chancellors Oath.

4th Because the Court so established continued till in Govr Hunter's Administration, when (there being nothing in the Commission to restrict the establishment of said Court to be by Ordinance) He & his Council for reasons given in the Minutes of Council, did without an Ordinance fix it, that the Governor alone should be thereafter Chancellor, and on this footing, that Court hath since been continued, Succeeding Governors (it is presumed) having considered the establishment so much conformable to the royal Commission, sufficient Authority for their acting as Chancellors and the construction so put upon the words of the Commission do not appear to have been objected to by the Crown, tho' the practice hath continued so long here, as well as in many other Colonies, the same Power having been in all the Commissions of all the Governors of this Province, ever since the Surrender, and the Court of Chancery actually Subsisted (and so as to do business in most of them) near Sixty years.

5. If any doubts shall remain with Governor Franklin after having the Council about continuing the Court on the footing it hath Stood ever since Governor Hunters Administration, I can have no Objection to altering it to any mode less exceptionable. If such an alteration can be proposed & that it should be thought necessary by the Governor & a majority of the Council to go into any new method, or if it would be more to the Governors Satisfaction to lay the matter before the King or the Attorney and Sollicitor General, I should consider that (on a full State of facts) as an effectual measure to obviate any doubts, but in that case, whether the Governors being directed to keep & use the Seal, His com-

mission, the sence of the Lords of Trade have formerly expressly given upon similar words in a Commission to the Governor of New York & the established practice for so many Years both here & in other Governments are not a Sufficient Warrant for keeping the Court open to such Suitors as under that Circumstance, are willing to use it, till such opinions can be obtained is humbly Submitted.

SAM[l] SMITH

4[th] Cha: Reads } As His Majestys Council have been
Opinion } pleased to Appoint me one of their Committee to draw up a Report which may be the foundation of an Opinion of the Honourable Board to His Excellency on the Interesting Question, Whether the Governor of New Jersey is empowered to execute the Office of Chancellor in the Province or not.

I could have wished my particular circumstances and health had permitted me to have made more minute and accurate researches into the Matter, Nevertheless it appears to me, that it is immaterial to the Question Whether the four great Courts in England are Coeval with the Constitution; Whether any, or what Variations have been made in their Jurisdictions or Places of sitting, or whether there be any Power in the Crown to make such, or what opinion the Board of Trade may have been of at any Time on particular Applications made to them, Relative to the Chancerys in America. The Matter chiefly or solely, I apprehend turns upon the three following Points.

1[st] Whether our migrating Ancestors brought with them a right to the Excercise of all or any of those Courts and of the Common Law and Statutes before we had Legislatures among us?

2[dly] Whether each Colony has its Constitution established and delineated by His Majesty's Letters Patent or not?

3[dly] How far His Majestys Commission or the Instructions require the Governor of New Jersey to excercise the Powers

of a Chancellor, or do Warrant him in the Use of such Power?

As to the first, British Subjects cannot by Law leave the Kingdom to reside abroad without His Majesty's allowance so to do, Therefore if they do so, and should in Multitudes settle in any Country They may be supposed to have withdrawn themselves from the protection of that Government they left, and are without Law untill they shall by mutual Agreement throw off their Allegiance to their rightfull Sovereign, and by the same Compact establish some kind of Government for themselves, and therefore no Part of the British Constitution, nor of the Common, or Statute Law, of the Kingdom from which they migrated can be with propriety said to be their Rule or their Inheritance any further than as they by their new Regulations may Copy after it. If the Soil whereon these Colonists are Settled belongs to the Crown, Then Officers may be Legally Constituted by His Majesty at any Time for the Government of it, and its mode be either Similar or dissimilar to that of Great Britain—It is known to every one that it is only such Part of the Common or Statute Law, as is most agreeable to our selves, and to our particular Circumstances which we by our Practice Extend, and not the whole. Whereas If the Common and Statute Law in force in Great Britain; on the Colonists leaving it, were Inhereut in them and inseperable, they could not select one Part, and reject another, which every Days Practice shows they do.

As to the Second Point, We find every Colony almost differing from the Other in Mode of Government, and also in Essentials. At Newfoundland, a Power over property or the Determination of it, is not left to a Jury; But by His Majesty's Commission to his Governor All disputes of this kind are to be adjudged of by the Admiral, Vice Admiral and Rear Admiral of the Particular Harbours where such disputes arise; And those Admirals are the first, Second and third Captains who arrive in the Harbour on the Fishing

Trade, And doubtless took its rise from Political Views And in Order to raise an Emulation among the Traders to be Early on their Fishing Season. In Gibralter and other of His Majesty's Garrisons abroad, there it not the least Shadow of the Great Courts of Westminster appearing. In Barbados The Governor & Council are Constituted a Court of Chancery by Legislative Act in 1650 and in the other Islands and at South Carolina we find the Captains General exercising the powers of Chancery, some with, and some without. the Assistance of the Council.—Men are in General fond of Power, and this may have induced them at first to have taken upon them the Excercise of such Powers as lodged, the disposal of a Great Share of Property in their hands, and the People have acquiesced: Or for ought appears, there may be such Power Expressly given by His Majesty in the Commissions for those Places. In Virginia we cannot trace any Courts similar to the Courts of Westminster, There Supream Courts wherein the Governor presides with his Council, may, for ought I know have participated of all four, tho' I have never heard they proceeded in the Course of Equity till they had that power given to Governor & Council by legislative Act These Courts must be Erected by His Majesty's Letters Patent or by Legislative Acts or cannot Legally exist, as the Governor cannot issue a Commission to himself tested by himself—Look into the Charter Governments and you will not see the Vestigia of a Court of Chancery, except for a few Years in Pennsylvania, and that Court was annihilated on the first enquiry into the Legality of its Erection and Existence. The forms of Government first established on the Settlement of a Colony as an Inducement for the Kings Subjects and others to leave their Mother Country and Connections to Adventure on a new World, I look upon to be the Pacta Conventa of the Crown, and the Subjects, to be held by the Crown sacred inviolate and unalterable unless by Mutual Consent, and that the Subject should on his Part be content with the Priviledges therein and thereby granted as being

the Basis of the Agreement at the Time of undertaking the Settlement. It is Universally known that the forms of Government in every Colony throughout his Majesty's American Dominions differs in some Matters from every other Colony, which leads me to conclude that the Kings Letters Patent or Commissions form the different Plans of Government. And it is certain that the Proprietary Governments must have Great Seals to Authenticate public Acts and to affix to the Commissions for their Officers, tho' a Court of Chancery does not exist in them which evidently proves that they do not suppose the keeping of the Great Seal constitutes the Governor Chancellor.

Therefore as to the third Point, It will become necessary to look into the Royal Commission and Instructions to the Governors of New Jersey to find what can be discovered there, Relative to a Chancery Court, Tho' I think it necessary to Observe here, that I should look upon the Power of the Two Seals under which they are Issued to be vastly different, And that the Instructions are only Obligatory on the Governor, and explanatory of the Mode his Royal Master expects he shall pursue in the Execution of his Commission And that the Instructions of themselves as being under the Sign Manual can give no Authority to Erect or Dissolve Courts, or do any Act of Government but as they seem to be Incorporated with the Commission by the first Clause of it And thereby have the Authority of the Great Seal of Great Britain to give the Instructions a Power, Equal to that of the Commission in all such Things as rest with the Crown by its Prerogative.—In the Beginning of the 2^{d} Clause of his Majesty's Commission the Governor is directed to take the Oaths enjoined by Act of Parliament and for the due Execution of his Office as well with regard to the due and Impartial Administration of Justice as otherwise. The Second Instruction seems to throw some light on the Matter, and to direct us to look where the Governor with his Council act as a Court of Judicature. As by the second Instruction

the Governor and Council are to take an Oath for the due Administration of Justice, you will in the 50th Instruction find the Governor and Council erected into a Court of Errors to receive Appeals from other Courts in the Colony, subject to some Restrictions, and the 51st gives under certain Provisoes a further Appeal to the King in Council.

By the 12th Clause of the Commission and from the 40th to the 45th Instruction inclusive, the Governor has the Powers of the Ordinary given him for certain purposes, And is the sole Judge of the Ecclesiastical Court. In the 45th Instruction he is directed to suffer no unnecessary delay in the Courts wherein he presides, which must mean only the Court of Errors and the Ecclesiastical one. As there is not the most distant hint given the Governor either in his Commission or Instructions that he is to take upon him to try Causes in Equity, I cannot think it a Duty incumbent on him nor even Warrantable under the Royal Commission or Instructions to proceed in a Course of Equity, Altho' I am of Opinion by his having the Custody of the Publick Seal he should keep open the Ordinary side of such Court, or in other Words to use the Seal to affix to such Remedial or other Writs as are or may be necessary to give Power to the Common Law Courts to proceed according to their Established Rules, but cant be of Opinion that the delivery of the Seal to him Constitutes him Chancellor.

The 41st Instruction can relate only to the dissolution of such Courts as are Legally established, not of such who without Foundation have assumed a Power: And I confess it has ever been my Opinion that the Proceedings in a Court of Equity in New Jersey have been Coram non judice. The Commission to his Excellency the Governor vests him with Power to appoint all necessary Officers & Ministers for the Administration of Justice, And the 40th Instruction directs the Mode of appointing, and particularly enjoins That he shall not by himself or Deputy exercise any of them, that is Excepting those to which he is by the Commission or Instructions Expressly appointed.

Altho' I am clearly of Opinion no Court of Equity exists in New Jersey, Yet, as it is a Matter of Consequence, I would advise His Excellency the Governor, to have this Matter settled in Great Britain.

CHAS: READ

David Ogdens Opinion } To Determine the Question which his Excellency Gov^{r} Franklin has put to his Majesty's Council of New Jersey Whether in Virtue of his appointment by Commission to be Captain General & Governor in Chief; By his Majesty's Instructions to him, By the Publick Seal of the Colony being committed (7) to him, or otherwise, he is Authorised to hold a Court of Equity as Chancellor in New Jersey?

It is thought necessary to consider the same under the following Heads.

1st What were the Original Powers & Business of the Court of Chancery in England.

2^{d} How is a Court of Equity to be Erected, by the Laws of England?

3^{d} What was the Constitution of New Jersey in its first State of a civilized Government (i. e.) while under the Government of the Proprietors as to the Erecting of Courts in the Province, before it was divided into East & West Jersey?

4. Whether a Court of Equity was Erected in both or either of the Divisions of New Jersey, When, & how was the same Established, & who were the Judges of that Court?

5. Whether his Majesty's Commission appointing a Cap: General & Governor in Chief of New Jersey, or his Royal Instructions Issued therewith, to the Governor or either of them, Do give the Governor a Power to hold a Court of Equity, or shew his Royal Intention to be, that the Governor should hold or be the Judge of such Court; Or do they shew the Contrary?

6. Whether the Publick & great Seal of the Province being Committed to the Governor, does vest him with sufficient Power to hold a Court of Equity in New Jersey?

within a Choice or nomination of him by the Crown for that purpose expressed.

7. When was a Court of Equity first held in New Jersey after the Surrender of the Proprietors Government to the Crown, How was it established, & who have been the Judges thereof since it was Erected under the Kings Government.

8. Is the Chancellor or other Judge of a Court of Equity &c. to take an Oath of that Office before he Acts therein? hath the Governors taken the oath of that Office & who is to administer such Oath.

To the first head—What were the Original Powers & Business of the Court of Chancery in England, It may be answered, that altho' this Point is not fully established, yet from several Books & good Authorities it appears, that the Court was not Originally Vested with any Judicial Power to determine in Equity & was Instituted by King William 1st only as a Colledge of Scribes or Clerks to form the Kings Writs, Patents & Commissions & to Register or Inroll them in their Office, over whom was the Custos Sigilli, Chancellor or Keeper of the great Seal, who was to examine the same, and, if allowed, to Seal them with the Kings Seal: From whence Remedial Writs were to Issue, returnable in other Courts & not that the Chancellor should be a Judge of such Cases: And that the Chancellor or Keeper were by Oath required to Issue all Remedial Writs, which is said to be the Jurisdiction of the Court of Chancery, according to its ordinary Power, and did not take Cognizance to determine in Causes of Equity before the time of Henry. 4. When Feoffments to Uses did first begin. 1. Chancery Practiser page 2. printed in 1730. 1. Practice in Chancery 2. &. 3. Camdens Britania 80. Second Institute 552. which Cites many other Books. From which Cases it is evident, that the Original Power of the Chancellor or Keeper of the Great Seal was only to execute the Matters above mentioned, & not to Judge or determine in Causes of Equity. And that the Exercise of a Judicial Power did

See 4th Institute 61. 4. Do. 78

not necessarily belong to the Chancellor or Keeper of the Great Seal, which is further Considered under the Sixth head.

2. How is a Court of Equity to be Erected by the Laws of England? By sev[l] Book Cases of the best Authority, it is evident, that a Court of Equity cannot be raised by Commission or Letters Patent from the Crown, but must be by Act of Parliament or Prescription. 4. Institute 87. 121. & 248. Hobart 63. Harrisons Practiser in Chancery 8.

This has long been & Still is the Common Law of England, that the King cannot Erect a Court of Equity to abridge the Rights of the Subject in having their Causes tried by Jurors their Peers And that the King cannot exercise that Power out of England in other parts of his Dominions, appear from 4 Just: 357.

2. Where Richard 2[d] by his Letters Patent Created Robert De Vere, Earl of Lincoln, to be Duke of Ireland, whereby among other things he Granted him the Power Constituere Cancellar, of appointing a Chancellor which is Marked * & in the Margent it is Noted that these thus * Marked cannot be Granted by Letters Patent. Another Case, which puts this Point in a strong Light is in the same Book page 243. Where treating of the Court of Equity held before the President & Council, in the Dominion & Principality of Wales, and the Marches of the same, it is said that "This Court is Strengthened & Warranted by the Statute of the 34[th] Henry 8. Chap. 26." with a Reference to a Prescription before it in these Words," "Item there shall be & remain a President & Council in the same Dominion & Principality of Wales, & the Marches of the same, with all Officers, Clerks & Incidents to the same in Manner & Form as heretofore hath been Used & accustomed: Which President and Council shall have Power and Authority to hear & Determine by their Wisdoms and Discretions, such Causes and Matters as be or hereafter shall be Assigned to them by the Kings Majesty as heretofore hath been Accustomed & Used" "They (that is the President & Council) sit by force of the Kings Commission and Instruc-

tions, & Proceed as in a Court of Equity by their Wisdoms and Discretions."

A Dispute did Arise whether four Shires there mentioned & Included within the Commission to the President and Council, were within the Marches of Wales, or not? And it was determined they were not, for several Reasons there assigned, the fifth is as follows "By the Resolution af[d] of these four Judges, concerning Cheshire & Flintshire (which were included also within the Commission) that they were not within the Marches of Wales, and therefore out of the jurisdiction of the President & Council, & so Remain untill this Day. For a Commission without an Act of Parliament cannot Raise a Court of Equity, as often hath been said before" From whence it is evident that altho' the Kings Commission Expressly Included certain Shires within it, which were not part of the Marches of Wales,—mentioned in the said Statute of 34. Hen : 8. Those Shires were Determined to be out of the Jurisdiction of the President & Council for the Reasons there mentioned 3 (to wit) That a Commission without An Act of Parliam[t] cannot raise a Court of Equity By the last Reason in the same Page Assigned it doth appear that on hearing of Council before all the Justices in England & Barons of the Exchequer in the 2[d] Year of King James, they Resolved with one Voice agreeable to the Resolution mentioned in the fifth Reason above set forth, And the same being made known to his Majesty, He was Graciously pleased that the Lord Presidents Commission should be reformed.

To the third Head it may be Observed that by the Concessions of Lord Berkley & Sir George Carteret made in 1664 in Book of Constitutions page 16. Sect. 3. It is declared that the General Assembly should have Power by Act, to constitute all Courts together with their Limits and Jurisdictions, the Several Offices & number of Officers belonging to each Court.

It appears by the Laws passed in New Jersey before the

Province was divided, that County Courts and the Courts of Assize were Established to be held in that Part of the Province since East Jersey, And no Act appears in the Book of Constitutions for the Erecting of a Court of Equity before the Division of the Province into East & West Jersey, But if such Court was Erecled the Presumption is, that it must have been by Act of the Legislature, agreeable to the Concessions of 1664. more especially as by an Act of the Legislature of New Jersey passed in 1682. in Book of Constitutions page 227. Several Courts that were Erected in the Eastern Division without any Act of the General Assembly, were declared Void, as being to the manifest infringement of the Liberties & Privileges of the Inhabitants &c.

To the fourth head it may be Observed that by an Act of the general Assembly of East New Jersey in Book of Constitutions page 232. Passed in 1682/3 being the first Sessions of the General Assembly after the 24. Proprietors were vested with the Soil & Government of East Jersey, the Court of Common Right was Established: whereby it was Enacted "That there shall be within the Province one Court, called the Court of Common Right, which said Court shall have Power & Jurisdiction, to hear try and Determine "all mat-"ters 4. Causes. & Cases, Capital, Criminal or Civil, Causes "of Equity & Causes triable at common Law: Which Court "shall be the Supreme Court of this Province, Which Court "shall Consist of twelve Members, or Six at the least."

From the above Concessions in 1664, and Acts of the Legislature of New Jersey it is Observable that the first and Early Constitution of the Province, was, that all the Courts therein were to be Established by Acts of the General Assembly, That a Court of Equity was Erected & to consist of Six Judges at least.

To the fifth it may be Observed, that on Examining the Commission & Instructions of Queen Ann to Lord Cornbury, the first Governor appointed by the Crown after the Proprietors Surrender of the Government of New Jersey in

1702. (both which are presumed Similar, to the Commissions & Instructions to the Succeeding Governors of New Jersey, in the matters under Consideration) There is no mention either in the Commission or Instructions of the Captain General & Governor in Chief, being appointed a Chancellor or Authorized to hold a Court of Equity within his Government—From whence it may be Concluded, that altho' it should be admitted that the Crown has Power to Erect a Court of Equity and appoint a Chancellor or Judge thereof, which it seems from the above mentioned Authorities under the second Head (he cannot do) Yet the Crown has not Executed that Power either in his Commission or Instructions, And no Authority can be derived from either, to the Captain General & Governor in Chief, to hold a Court of Equity: But the Royal Intentions seem to Evince the Contrary: which may be Collected from the following Matters Contained in the Commission & Instructions By the Comission to Lord Cornbury in Book [of] Constitutions pages 647, 648. The Governor is Required & Commanded to do and Execute all things, in due Manner that shall belong unto his Command, & the Trust Reposed in him according to the several Powers & Directions granted him by the Commission & Instructions given with the Commission; From which it may be remarked that the Commission & Instructions are Equally Obligatory on the Governor, and where one is not clear, and the other is full & explicit, the Latter shall explain the Intent of the former & be the Rule of the Governors Conduct.

5. By Instruction 41. to Lord Cornbury, in Book of Constitutions Page 630. The Governor is expressly directed not to displace any of the Judges, Justices, or other Officers within the Province, Without &c—And that he should not execute himself, or by his Deputy any of the said Offices.

This Instruction seems as full & positive a Prohibition to the Governor, not to Execute the Office of a Judge, as Words can express, and how a Governor of New Jersey having

these Instructions given him, can exercise the office of a Sole Judge in the Court of Chancery, as Chancellor, or how his Majestys Council can Advise him thereto, ought to be fully & well Considered as it seems diametrically Opposite to the Words & Spirit of the Instruction.

Lord Cornbury was further Instructed relating to Appeals in Book of Constitutions 641. in these Words "Our Will & Pleasure is, That Appeals be made in Cases of Error from the Courts in our said Province of Nova Cæsarea or New Jersey unto You & the Council there, And in Your Absence from our said Province to our Commander in Chief for the time being, & our said Council, in Civil Causes, wherein such of our s[d] Council as shall be at (13) that time Judges of the Court from whence such appeal shall be made, to you our Governor & Council, or to the Commander in Chief for the time being & Council as aforesaid, shall not be admitted to vote upon the s[d] Appeals."—And by next Paragraph, Liberty is Granted to either Party dissatisfied with the Judgement of the Governor & Council as af[d] to Appeal to his Majesty in his Privy Council.

By this Instruction it is evident that Appeals in Civil Causes were to be made in Cases of Error only, from the Courts in the Province, to the Governor or Commander in Chief & Council here, And from the Judgment of the Governor or Commander in Chief & Council, in such Cases of Error to the Crown in his Privy Council. From whence it is conceived, the Presumtion will Naturally Arise, that if the Crown Intended that the Governor should hold a Court of Chancery, in the Province & Sit as Sole Judge thereof, An Appeal would also have been allowed from the Governors Decree in Chancery as in the Cases of Error, And not left in the Power of a Governor (6) alone, finally to determine in cases of the greatest Consequence, contrary to the English Constitution, & the Rights & Liberties of English Subjects. Which is conceived a strong Argument, to prove that the Crown did not intend, by the Commission & Instructions,

Granted the Governors of New Jersey, That they should hold a Court of Chancery, and Judicially determine any Civil Causes therein.

It may be farther observed that among the s^d^ Instructions to Lord Cornbury, one (to wit) the 45^th^ in the Book of Constitutions page 631. is. "You shall not Erect any Court or "Office of Judicature not before Erected or Established with-"out our Special Order."

That Lord Cornbury in 1704. & Lord Lovelace his Successor to the Government of New Jersey in 1708. did with several of the Council take the Oath as Judges in Chancery, appears from the Minutes of the Governor & Council of New Jersey; But how long the Court of Chancery was afterwards held in New Jersey by several Judges mearly agreeable to the Constitution of East New Jersey before the Surrender of the Government to the Crown, or at what Period of time the Governor did Assume the Power of holding the Court of Chancery, solely to determine in Causes of Equity has not fully appeared: But so far as the Elizabeth Town Answer printed in 1752. to the Proprietors Bill in Chancery, drawn by the Honourable John Kinsey Esq^r^ late Chief Justice of Pensylvania, Signed by William Livingston & William Smith Jun^r^ two eminent Council at Law in New York, & Sworn to by the Defendants will prove the same, It was "In or about the year 1718. that the Governor of New Jersey first Assumed on himself the Power of Chancellor, or the Power solely to hear and Determine Causes before him in Equity." As Appears by Page 4. of s^d^ printed Answer, Where the Power of the Governor holding s^d^ Court is Protested against.

From which several Matters, it may with great Reason be Inferred, that the Crown did neither by his Commission nor Instructions Intend, that his Governor should Excercise the Power of a Chancellor & Sole Judge in a Court of Equity: Nor did the Kings Governors of New Jersey for several years after the Surrender of the Government of the Province to the Crown, conceive that they were Vested with the Sole Power of holding a Court of Equity.

To the 6th Head whether the Use & Keeping, the 7. Publick & Great Seal of the Province, being Granted by Letters Patent of the Governour, does Vest him with Sufficient Powers, to hold a Court of Equity in New Jersey, as Chancellor and Sole Judge thereof?

The Words in the Commission or Letters Patent are, "Our "Will & Pleasure is, that you Shall & may, Use and keep, the "publick seal of our Province of Nova Cæsarea or New Jersey, "for Sealing all things whatsoever, that pass the Great Seal "of our Province, under Your Government.

By this Clause the Using & Keeping of the Seal is Granted to the Governor, and also the purpose & Intent, of the Governors having & Using the Same, is fully and Clearly declared to be only for Sealing all things whatsoever, that pass the Great Seal of the Province. To Construe these Words to vest a Judicial Power in the Governor to hold a Court of Equity, seems very extraordinary, as nothing favouring that Construction can be collected from the Words, but the Contrary (to wit) to do that which Antiently belonged to the Great Seal, which was only to Seal with the Kings Seal, Letters Patents, Commissions, the Kings Writs as Writs of Error, of Dower & Other Remedial Writs & remarked under the first Head before mentioned, Whereby the Commission & Instructions to the Governors, may be reconciled to the Common Law, & to the many adjudged Cases; that the King cannot Erect a Court of Equity.

The Pretence, That the Crown's Granting to the Governor of a Colony the Use of the Public Seal of the Province, for Sealing all things whatsoever, that pass the Great Seal in his Government, Without naming or constituting him Chancellor or Judge of a Court of Equity, does Vest the Governor with a Power to hold a Court of Equity; Is conceived Void & without any Law, Usage or Book Cases to support the Same, The two Cases before mentioned under the Second Head, taken from 4. Inst 357 & same Book page 242. The one Constituting a Chancellor for Ireland, And the other relating

to the Court of Equity in the Dominion & Principality of Wales, are conceived pertinent to this Point. In the first of Which Cases, It was determined, that the King could not out of England appoint a Chancellor by Letters Patent; And in the Second, could not by Commission raise a Court of Equity, or enlarge the extention of its Jurisdiction, without an Act of Parliament. As the King in both these Instances, did, by express words in his Letters patent, and Commission Grant the Office of Chancellor, and Power of holding a Court of Equity which were held Illegal & Void; It may with greater Reason be concluded, That where the King by his Commission Constitutes 8. a Captain General & Governor in Chief of a Colony, without naming or appointing him Chancellor, or Granting him Power to hold a Court of Equity, that such Governors holding a Court of Equity, within his Governm^{t} must be Illegal, since he has not so much as the Will of the Crown to Vest him with the Excercise of the Judicial Powers of a Court of Chancery. To Suppose that the Committing the publick Seal of the Colony alone to the Captain General & Governor in Chief of a Province, is of equal Authenticity to vest the Possessor thereof with the like Powers as the Lord Chancellor of England has to hold a Court of Chancery there, by having the Great Seal of Great Britain delivered him, and otherwise Authorised by the Kings Election, his Oath & being Inroll'd to hold that Office, is a Supposition conceived altogether Illfounded and unwarranted by the Laws of England.—The Seals are different, The Great Seal of England is Clavis Regni, or the Key of the Kingdom extending to all the Kings Dominions; The Seal of a Colony is Limitted within the Bounds of the Colony, & can't disannull any thing under the great Seal, & may with Propriety, be considered only as the publick Seal of a Corporation or Body Politick, confined within the Limitted Powers Granted under the Great Seal of Great Britain.—To Suppose that the Crown under the Great Seal of Great Britain can establish other great Seals of equal Efficacy, with that of Great Britain, is a

strange Doctrine, Which would be the Case if the Authority of holding a Court of Equity was Vested in the Possessor of a Provincial Seal, without any Act of the Legislature, or Commission appointing him to that Office. It is conceived that more is Necessary in England (where a Court of Equity is legally Established) to Authorise a Chancellor to hold a Court of Equity, than the bare delivery of the great Seal by the King. He must be Elected & Chosen by the King to the Office of Chancellor (which is not the Case with respect to the Governor of New Jersey) He must have the Great Seal Delivered him by the King, and an Entry made thereof in the Close Roll in the Court of Chancery, what Day & in whose presence the Seal was delivered: Nothing Simillar to such Entry, is done in England or New Jersey with Respect, to the Governor of New Jersey being Chancellor.—He must take the Oath prescribed for the Chancellor to take, upon the Seals being delivered him (mentioned at large in Chan: Prac: 41 & 42 and 4 Institute 88.) and then he may Seal Writs &c Which, [Oath?] or any Chancellors Oath, has not been taken by several late Governors. 9. It may here be remarked, that altho' it should be admitted that the King has Power to Erect a Court of Equity in New Jersey, and that the Publick Seal of New Jersey is of Equal Validity in New Jersey; as the Great Seal of England is in England; Yet as no Election of the King appears to Constitute the Governor of New Jersey to the Office of Chancellor to hold a Court of Equity, As no Entry is made of the Governors appointment to that Office, and as the Oath of Chancellor is not directed to be taken by the Governor, nor has it been taken by several of the late Governors, It may with Reason be presumed, that the Governor is not Legally Vested with that Office, altho' the Use of the Publick Seal has been Granted him, by Commission from the Crown.

1. Harrisons Practiser in Chan. 18. 1 Chan. Practiser printed in 1730. page 38.

1 Harris. Prac. ch: 19. 1. Chan. Prac: printed in 1730. page 41.

Harris Prac in Chan. 18.

That the delivery of the Seal does not alone Constitute a Chancellor or that the Office of Chancellor does necessarily belong to the Keeper of the Great Seal, is evident from the Authoritys in the Margent, which Shew & Prove, that after the Office of Lord Chancellor & Lord Keeper were united into one Office, and declared the same by the Statute of 5th of Eliz: The keeping of the great Seal was by Commission Granted to four Lords, without any Judicial Power; And a Commission to hear Causes, to four Judges exclusive of the Keepers of the Great Seal; Which Authorities seems fully to Support the Doctrine, that the Judicial Power of a Court of Equity does not belong to the Keeper of the Great Seal in England, unless appointed Lord Chancellor or has a Commission for that purpose.

1. Harris: Prac. in Chan Page 20
1 Chan: Prac. Printed in 1730: Page 39.

Wherefore it is Submitted, if the Consequence is not clear, that the Governors of New Jersey altho' possessed of the publick Seal of the Province by Commission, have not by Reason thereof the Power of holding a Court of Equity.

To the Seventh head It may be Observed, That from the Minutes of the Governor & Council in 1704. Soon after the Surrender of the Proprietors Government to the Crown, & during the Administration of Lord Cornbury Governor of New Jersey, a Court of Chancery was Established in this Province by Ordinance of the Governor & Council.

Governor Cornbury took the Oath as Chancellor & Several of the Council also sworn as Assistant Judges.

In 1707. the Court of Chancery was Ordered to be Opened and Masters appointed.

10. In 1708. Lord Lovelace Governor & the Members of the Council present Severally took the Oath as Judges in Chancery. Lewis Morris, Mompesen &c appointed to draw up an Ordinance for Chancery.[1]

Col Ingoldsby Succeeded Lord Lovelace & no Entry has Appeared during his Administration relating to a Court of Chancery. In 1713. during the Administration of Governor

[1] See N. J. Archives, XIII., 435.

Hunter who Succeeded Col Ingolby, Col Morris Moved that there might be a Court of Chancery Opened.—The Board were of Opinion that the Governor having the Custody of the Great Seal by Patent under the Great Seal of England is by that Constituted Chancellor & that he may when he pleases, Constitute Officers & by Proclamation open the Court.

It does not appear, by the Extracts of the Minutes of Council that Governor (19) Hunter did, during his Administration hold a Court of Equity in New Jersey, in Compliance with the above Opinion of his Council.[1]

In 1723. Governor Burnet (about three Years after his coming to the Government of New Jersey) held a Court of Equity in this Province as Sole Judge thereof, & Continued to Excercise the Powers of Chancellor during his Administration, which ended in the Latter end of the Year 1727 or Beginning of the Year 1728.

All the Succeeding Governors have held a Court of Equity in the Province, Several of them as late as Governor Belcher took the Oath of Office as Chancellor; but the Several Governors since the death of Governor Belcher, have only taken the Oaths directed to be taken by their respective Commissions of Allegiance of Supremacy. to the Government, and Relating to Trade &c Together with the Oath for the due Execution of the Office & Trust of the Captain General & Governor in Chief in & over the Province of Nova Cæsaria or New Jersey, as well with Regard to the equal & Impartial Administration of Justice in all Causes, that should Come before them, as otherwise, Which Oath the Council of New Jersey or any three of them have by said Commission Power & are Required to Administer

From the above State of the Court of Equity in New Jersey and the Proceedings therein from the time of the Surrender of the Government to the Crown to this Day: It may be Remarked, that the Court of Chancery has been frequently Varying without any Legal Establishm^{t}; That for about the

[1] See N. J. Archives, IV., 70.

first ten or twelve Years, it was Erected by Ordinance of the Governor & Council & was held by the Governor & Council 11. as Judges thereof.

That afterwards in 1713. the Council were of Opinion; that the Governor (who was then Coll. Robert Hunter) having the Custody of the Great Seal of the Province, was thereby Constituted Chancellor, and had power to hold a Court of Chancery. But whether Governor Hunter Acted in pursuance of the Opinion of Council or not, does not appear.

That Governor Burnet in or about the Year 1723. & his Successors since have Acted as Chancellors & untill the Year 1747. took the Oath of a Chancellor, and Since that time the Governors have only taken the Oath of Office of the Capt^{n} General & Commander in Chief above Set forth, the Illegality whereof has been considered under the former Heads & it may be presumed, that no weight of Argument can arise from the changing State of the Court of Chancery in New Jersey, to Support the Continuance of it, to be held by the Governor as Chancellor & sole Judge thereof.

8th Head. Is the Chancellor or other Judge of the Court of Equity to take the proper Oath of that Office before he Executes the Judicial Powers of that Court. By the English Constitution all Judicial Officers are to take an Oath of their Respective Offices, before they execute the same, & as it has been before shewn under the Sixth Head that the Lord Chancellor, is not only enjoined to take an Oath of his Office before he executes the s^{d} Office, but the Oath he is to take is particularly set forth at large in the Books, there can't be any necessity to add farther under this head.

The Statute of the 5th of Eliz: Cap: 18: which declares that the Common Law of the Realm is, & always was & ought to be taken, that the Keepers of the Great Seal of England for the time being hath the same and like Places, Authority &^{c} may be thought to Operate against what has been herein before Offered, (21) to shew a difference between the Powers of Lord Chancellor and Lord Keeper, and be

thought an Argument of weight in favour of a Governors being a Chancellor as he is the Keeper of the great Seal of the Province.

It may be observed that before the Statute of 5th of Elizabeth there were two great Seals in England the One given to the Lord Chancellor and the other to the Lord Keeper; But as by this Statute they were made one Office in England, So there was afterwards but one great Seal, which Continues to this Day. But that the Common Law always was, that the Keeper of the great Seal of England had the same Power with the Lord Chancellor, is Contradicted by almost all the Books, treating of the Office of the Lord Chancellor, In 2d 12. Practising Attorney Page 5. is said "We may also add the Stat: 5: Eliz: Cap: 18. Commonly called Sir Nicholas Bacons Act, as Projected by him, That under the modest Name of Lord Keeper he might Possess the Power & yet Avoid the Envy &c the Title of Lord Chancellor would expose him to; And thereupon by that Statute it is Enacted as a most certain truth, tho' in fact a notorious falsity,

"That the Common Law &c

From whence it is conceived that nothing can be offered from the Common Law to Support that the Lord Chancellor & Lord Keeper were equal in Power and Jurisdiction; Besides it may with great Reason be denied, that this Statute can be applicable to a Governor of a Colony, having the publick Seal thereof; as the Statute expressly Limited the Powers of a Chancellor to the Keeper of the great Seal of England only.

It is also Observable that the Use & delivery of the great Seal alone in England since this Statute does not Authorise the Possessors thereof to hear & Determine Causes in Equity, without being Elected & appointed to execute the Power of the Court of Chancery. which is evident from the Cases before cited out of Chancery Practiser Page 39. and Harrisons Practiser in Chan: page 20. Where it appears that after the Statute of 5th Eliz: the Seals were delivered to some

Lords to Keep, & the Judicial Power of the Court of Chancery was by Commission Granted to Others,

Upon the whole it is conceived that the Captn General and Governor in Chief of New Jersey cannot in Virtue of the Powers granted him, by his Majesty's Commission & Instruction By the Use of the Publick Seal of the Province being Granted him, or by the Common Law of England or all or any of them hold a Court of Equity in New Jersey as Chancellor & Sole Judge thereof—And it is also Conceived that his Power arising from the Use of the great Seal being granted him Extends only to the Sealing of Patent Commissions &c And the Usual Remedial Writs to the Courts of Law. And that the Erecting of a Court of Equity in New Jersey does belong to the Legislature thereof; To whom it may be proper to apply for the same as it is a Usefull Court on many Occasions; where Relief can't be had at Common Law, All which 13. is Submitted to the Council of New Jersey for their Consideration, before they give their Advice to his Excellency on the above important Point by their Humble Servt

Febry 7th 1770. DAVID OGDEN

Mr. Ogdens further Opinion } In further Support of my Opinion that the Crown by delivering the Great Seal to any Person or Persons not being Elected or Appointed Lord Chancellor or Lord Keeper does not Authorize the Possessor or Possessors to Hold a Court of Equity, may be added the Statute of The 1. W. & Mary Ch. 21st 23. whereby it is Enacted that Commissioners Appointed to Execute the Office of Lord Chancellor, may Excercise all Authority, Jurisdiction & Execution of Laws, which the Lord Chancellor, or Lord Keeper of Right ought to Use and Execute.

This Statute clearly Evinces that the bare Delivery of the Great Seal to any Person or Persons not Elected, or Appointed to the Office of Lord Chancellor or Lord Keeper was, in the Opinion. of the Legislature of England, Insufficient to

Authorize such Person or Persons to Excercise the Powers of Lord Chancellor, or Lord Keeper, And therefore Provides that Commissioners may be Appointed for that purpose.

It may be here remarked, that if the bare delivery of the Great Seal was Sufficient to Authorize the Possessors with the Power of a Lord Chancellor, there could have been no Necessity of Such Statute, or of a Commission to Issue to Impower the Keepers of the Great Seal to Excercise the Office of Lord Chancellor: And this Seems a strong Argument against the Governor of a Colony being Impowered To Hold a Court of Equity, In Consequence of His having the Publick Seal of the Colony; Unless Expressly Commissioned for that Purpose.

Should Prescription come under the Consideration of His Majesty's Council, I beg leave briefly to mention the Facts, with respect to the Length of Time, that a Court of Equity has been held in New Jersey, by the Governor as the Sole Judge thereof, and point out some Book Cases relating to Prescription.

From the Minutes of the Governor and Council, before set forth, it appears that from and after the Surrender of the Government to the Crown, untill in the year 1713. The Court of Chancery was Held by the Governor and Council as Judges of that Court, and it may be Presumed, from the above Matters, that the Governor did not Hold such Court as the Sole Judge for some Years thereafter.

"Coke Littleton 115. a. Cokes Notes on Ascum Proofe al "Contraria," Says If there be any Sufficient proof of Record "or Writing, albeit it Exceed the Memory or proper knowl- "edge of any Man Living, Yet is it within the Memory of "Man; For Memory or knowledge is twofold. First by "knowledge by Proof; as by Record, or sufficient matter of "Entry.—Secondly by His own proper knowledge." This is Coke's definition of Prescription. And from Vinir, Title Prescription. 272. Section 13, and Notes, It doth appear that a Prescription arising, by being Beyond the Memory of Man,

must be only in such Cases, where no Proof could be made to the Contrary, either by testimony, or other Evidence, in any Time before, without any Limitation of Time. And by Section 16, The Time of the Memory shall be Limited to 60 years, as a Writ of Right, within the Equity of the Statute of 32. H. 8.

From these cases I conceive it Evident that Prescription Cannot be of weight, to support the Right of the Governor Judicially to Hold a Court of Chancery in New Jersey, as the Time, when the Governor first Set as Sole Judge in Chancery, does appear in evidence from the Minutes of the Council: and as the same has not been practised for 60 Years past, I believe such a Pretence if made in this Case, will be the First Instance of that Kind ever Offered in this Colony.

In the Case of S^{r} John Fryer against Bernard, in 2^{d} Peer William, Page 261 & 262, a Question arose whether a Sequestration should Issue from the Court of Chancery in England, against the Real and Personal Estate of the Defendant in Ireland, and it was alledged that such Process had been awarded to the Governor of North Carolina.

As to such Sequestration to be Directed to the Governor of North Carolina, or any other of the Plantations, the Court doubted much whether such Sequestration should not be directed by the King in Council, where alone an Appeal lies from the Decrees in the Plantations, And it seemed that Application ought to be made to the King in Council, and not to this Court.

This Case doth not, as I conceive, any ways concern the Point under the Consideration of the Council; for the following Reasons. Viz^{t} First, because the Legality of the Court of Chancery in North Carolina did not come under the Consideration of the Lord Chancellor, Nor does it appear from this Case; if a Court of Chancery was Constituted there, how it was Erected; whether by Act of the Legislature, or by the King.

Secondly, Because in the Doubtful Opinion that the Seques-

tration should be directed by the King and Council, the Chancellor does not name, or even Suppose the Governor a Chancellor there; but strongly Implies that the Decree of the Chancery in England was to be Carried into Execution thro' the King in Council, by His Governor and Commander in Chief as such, and not as Chancellor.

Notwithstanding the Cases herein before Cited, that the King cannot Erect a Court of Equity, it may be thought of Weight that the Colonists have a Right, as English men, not only to the Laws of their Mother Country, but also to the Several Courts held in England should this be admitted, I conceive that the Question still remains, whether the Governor has the Right of Holding a Court of Equity, or has been legally appointed to that Office; and that the Determination of the Point Referred to the Council, will altogether Rest on the Matters herein before Stated and Considered.

As some of the Books treating of the Court of Chancery, shew that by the Antient Law of England, the King was Vested with a Power to moderate the "Sum̃um Jus," according to Equity and Justice, and precided himself in His Courts for that purpose, and that by Reason of the Multiplicity of Petitions or Appeals to him, He Deputed a Chancellor to Act in his Stead;

It may be thought an Argument of some weight that the Governor of a Colony, Vested with the Powers of Government, may also have right to Excercise the same Powers, with regard to the Court of Chancery, as the Kings by the Antient Laws of England had right to Do.

To which may be answered, that the Power was first Personal in the King, and when altered it was Vested in some Person Legally, and Expressly Deputed for the Excercise of that Power. Wherefore I conceive that the Question before the Council will Remain, whether the Governor is Legally Deputed, Or Appointed Chancellor; and that nothing can be Collected from the Power of the King to Hold a Court of Equity in Person, in Favour of a Governour of a Colony

Holding such Court: But it must arise from His Express Appointment to that Office, if it be admitted that the Crown at this Time hath Power to Erect such Court.

D. OGDEN.

His Excellency Also laid before the Board such part of his Majestys Instructions to him, as relate to the erecting of Courts and appointing the Officers thereof in the said province, and two extracts from his Majestys Commission to him under the Great Seal of Great Britain appointing him Captain General and Commander in Chief of the Province of New Jersey, which Extracts were read and are in the words following, viz[t]

"And We do further by these presents give & grant unto "you the said William Franklin full power and Author- "ity with the Advice and Consent of our Said Council, to "Erect, constitute and establish such and so many Courts of "Judicature and publick Justice within our said province "under your Government, as you and they shall think "fit and necessary, for the hearing and determining of all "Causes as well Criminal as Civil, according to Law and "Equity, and for awarding of Execution thereupon, with all "reasonable and necessary Powers, Authorities, Fees, and "priviledges belonging thereto"

"And We do hereby Authorize and Impower you to con- "stitute and appoint Judges and in Cases requisite, Commis- "sioners of Oyer and Terminer, Justices of the Peace and other "necessary Officers and Ministers in our said province, for "the better Administration of Justice, and putting the Laws "in Execution, and to Administer or cause to be Administered "unto them such Oath or Oaths as are usually given for the "due Execution and performance of Offices and places and for "the clearing of Truth in Judicial Causes"

His Excellency was pleased at the same time to lay before the Board a number of Extracts from the Minutes of Council of this province relative to the Court of Chancery which are as follow viz[t]

Lord Cornbury Governor

Sep. 29th 1704. Ordered that an Ordinance be prepared to establish a Court of Chancery in this province, and that an Additional Ordinance be prepared to that intent to be ready against to morrow morning. and that in it there be a limitation but of two Council on a side.

Novr 20. 1704. The Ordinance for establishing a Court of Chancery within this Province read & ordered to be engrossed

Novr 30. 1704. His Excellency Edward Lord Viscount Cornbury Captain General & Governor in Chief took the Oath appointed in the Ordinance for the establishing the High Court of Chancery as Judge of said Court.

Andrew Bowne, William Pinhorne, Thomas Revell Daniel Leeds and Roger Mompesson Esqrs took the Oaths appointed as Judges of the sd Court of Chancery.

May 26. 1707. Ordered that the Court of Chancery for this Province be Opened to morrow.

May 28. 1707. The Ordinance for the Chancery read, & the Court opened and Mr Wheeler & Mr Huddy Sworn Masters in Chancery, adjourned.

May 30th 1707. Mr John Pinhorne & Mr John Shakenople Sworn Clerks in Chancery.

Decr 21. 1708. Lord Lovelace Governor

The Members of the Council present severally took the Oath, of Judges in Chancery of this province and the usual Oaths.

R. Hunter Governor

Jany 1st 1710. Ordered that L. Morris R. Mompesson, Peter Sonmans & T. Gordon Esqrs do prepare an Ordinance for a high Court of Chancery to be held in this province— see the Councils address in the next page.

Jany 3d 1710. Lewis Morris Esq. reported from the Committee appointed to prepare and draw up an Ordinance for establishing a high Court of Chancery in this province that

they had met and some dissenties arising bout the persons to be Commissionated as Judges in Chancery, how or in what nature they were to be Commissionated or to Act, he was directed to report the same to the Board, and the matter having been debated at the Board, Ordered that the Debate be adjourned, till another time

March 17th 1713. On the Motion of Colonel Morris that there might be a Court of Chancery opened—The Board are of Opinion that the *Governor having the Custody of Seal*, by Patent under the Great Seal of Great Britain, is by that Constituted Chancellor, and that he may when he pleases for to Constitute proper Officers, and by Proclamation declare the said Court to be Open.

Aug. 5th 1715. Governor Hunter took the Oath of Chancellor.

Octr 28th 1723. W. Burnet Governor

See the Opinion of Council as to the Governor & Councils establishing Courts &cs—with the Kings Instruction on that head both as to Law & Equity.

Novr 23d 1723. His Excellency acquainted this Board that he had appointed John Wills & James Smith Esqrs Masters in Chancery, and Peter Bard Esq. examiner in Chancery. May 1st 1724. Ordered that the Gentlemen of this Board or any five or more of them be a Committee to prepare an Ordinance for regulating of the Fees to be taken by the Officers in the Chancery of this Province.—Mr. Johnston reported from the Committee that they had prepared a Draught of an Ordinance for settling the Fees to be taken by the Officers in the Court of Chancery in this Province which he was ready to report when this Board would receive the same,

Ordered, that the report be made immediately which was accordingly done and agreed to by the Board, and Ordered that an Ordinance do issue in pursuance of the said Draft.

Feby 1st 1727 A Motion made by Jas Alexander founded on a Decree made by Governor Burnett in Chancery.

July 4th 1730 John Montgomerie Esqr Governor

Ordered that the Gentlemen of the Council or any three of them be a Committee to revise the Ordinance of Fees for the Court of Chancery, and to moderate the same in such manner as they shall judge agreeable to the Circumstances of this Province, and to Consider of remedies for any Abuses that they may discover to have crept into the practice of this Court.

July 13th 1730 Mr Hugg, Chairman of the Committee to whom was referred the revising the Ordinance of Fees for the Court of Chancery, and to Moderate the same, and to consider of remedies of any abuses that they may discover to have crept into that Court, reported they had gone thro' the Ordinance for regulating Fees, and made several Amendments thereto, which was read, and agreed to by this Board.—Ordered that the said Ordinance be printed. Mr Hugg also reported that they had gone through the remedying of Abuses that they have discovered to have crept into the said Court which was read and agreed to by this Board.—Ordered that the said Remedies be printed.

Wm Cosby Esqr Governor

May 4th 1733.	His Excellency took the Oath of Chancellor.
March 16. 1735/6	John Anderson Esq. President took the Oath of Chancellor.
March 31st 1736	John Hamilton Esq. President took the Oath of Chancellor.
June 19. 1747	John Reading Esq. President took the Oath of Chancellor
August 10. 1747.	Jonathan Belcher Esq. took the Oath of Chancellor & Keeper of the Great Seal.
July 26th 1750	John Coxe declares he never would *any more* appear before his Excellency Govr Belcher as Chancellor see also Richr Bordens Oath upon that Occasion Since which (Governor Belchers

time) the Governors took an Oath for *the due and impartial Administration of Justice*, but not that of Chancellor.

June 16. 1750. Governor Bernard
July 4. 1760 Governor Boone
Octo^{r} 29. 1761 Governor Hardy
Feb^{y} 28. 1763. Governor Franklin

All took this Oath, i. e. for the *due & impartial Adminis^{n} of Justice.*

The Council taking the same into Consideration, and conceiving that a Matter of so much Importance required Mature Deliberation took time to confer thereon till Monday next.

His Excellency was pleased to lay before the Board Extracts from his Majestys 15th 36th 37th & 43^{d} Instructions which were read and ordered to be inserted in the Minutes in the Words following.

15th Instruction "You shall not give your Assent to any Law for repealing any other Act passed in your Government, *altho' the same should not have received our Royal Approbation*, unless you take care that there be a Clause inserted therein suspending and deferring the Execution thereof untill our Pleasure be known concerning the same."

36th Our Will and Pleasure is, that you or the Commander in Chief of our said Province for the time being, do in all Civil Causes, on Application being made to you, or the Commander in Chief for the time being for that Purpose, Permit and allow *Appeals* from any of the Courts of Common Law in our said Province, unto you or the Commander in Chief, and the Council of our said Province: And you are for that purpose to issue a Writ in the manner which has been usually accustomed returnable before yourself and the Council of our s^{d} Province who are to proceed to hear and determine such Appeal, wherein such of our Council as shall be at that time Judges of the Court from whence such Appeal shall be so

made to you our Captain General, or to the Commander in Chief for the time being, and to our said Council as aforesaid, shall not be permitted to vote upon the said Appeal; But they may Nevertheless be present at the hearing thereof, to give the Reasons of the Judgment given by them in the Causes wherein such Appeals shall be made. Provided Nevertheless that in all such Appeals the Sum or value appealed for do exceed the Sum of *three hundred Pounds Sterling*, and that Security be first duly given by the Appellant to Answer such Charges as shall be Awarded, in case the first Sentence be Affirmed, and if either Party shall not rest satisfied with the Judgement of you or the Commander in Chief for the time being, and Council as afs[d] Our Will and Pleasure is that they may then Appeal unto us in our Privy Council, Provided the Sum or value so Appealed for unto us exceed *Five hundred Pounds Sterling*, and that such Appeals be made within fourteen days after Sentence, and good Security given by the Appellant, that he will Effectually prosecute the same, and Answer the Condemnation, as also pay such Costs and Damages as shall be Awarded by us, in case the Sentence of you or the Commander in Chief for the time being, and Council be Affirmed; Provided Nevertheless, where the matter in Question relates to the taking or demanding any Duty payable to us, or to any Fee of Office, or Annual Rent, or other such like matter or thing, where the Rights in Future may be bound, in all such Cases you are to Admit an Appeal to us in our privy Council, tho' the immediate Sum or value Appealed for be of a less value; and it is our farther Will and Pleasure, that in all Cases where, by your Instructions, you are to Admit Appeals to us in our privy Council, Execution be suspended untill the final determination of such Appeal, unless good and sufficient Security be given by the Appellee, to make Ample Restitution of all that the Appellant shall have lost by means of such Judgement or Decree, in case, upon the Determination of such appeal, such Decree or Judgment should be reversed, and Restitution awarded to the Appellant."

37th "You are also to permit Appeals to us in Council in all cases of Fines imposed for Misdemeanors, Provided the Fines so imposed amount to or exceed the value of *two hundred Pounds Sterling*, the Appellant first giving good Security that he will effectually prosecute the same, and Answer the Condemnation; if the Sentence by which such Fine was imposed in our said province of New Jersey shall be confirmed."

43d "It is our Will and Pleasure, that you do countenance and give all due Encouragement to all our Patent Officers, in the Enjoyment of their *Legal and accustomed Fees*, Rights, Priviledges, and Emoluments according to the true Intent and Meaning of their Patents."

At a Council held at Burlington on Monday the 26th of March 1770

Present

His Excellency William Franklin Esq. Governor in Chief &c

The Rt Hoñble The Earl of Stirling

The Hoñble { Charles Read, John Smith, John Stevens; Samuel Smith, John Ladd, James Parker } Esqrs

His Excellency was pleased to lay before the Board a Representation from sundry of the Justices of the Peace in the County of Burlington, that Isaac Ivins Esq. one of the Justices in the said County, hath made a practice of selling strong Liquors by small Measure at the time of holding his Courts, and in many other Cases hath acted contrary to the Known Laws of this Province; whereupon the Council advised his Excellency to Order the Deputy Secretary to give Notice to the said Isaac Ivins to appear before the Governor in Council on the ninth day of May next at Burlington to Answer the said Complaint.

The Council resumed the Consideration of the several matters laid before them on the 21st instant relative to the Court

of Chancery, and having drawn up their Opinions in writing they were severally delivered in, and read in the words following.

Mr. Parkers Opinion } Your Excellency having requested the Opinion of your Council in Respect of the Court of Chancery of this Province, and the Power of the Governor for the time being to Act as Sole Judge of that Court. In order to found my Opinion on the matter, I think it proper to turn back to the Transactions of your Predecessors, as Chancellors from the first settlement of the Province.

It appears by the Records, that before the Surrender of the Government by the Proprietors to the Crown, there was a Court of Chancery in the Province—which I make no doubt upon the Surrender, was intended to be continued by the Powers given by her late Majesty Queen Anne, in her Commission dated the first of December, in the first Year of her Reign, to Lord Viscount Cornbury, the first Governor appointed by the Crown, in the following words.—"And do "further give and grant unto you full Power and Authority "with the *Advice and Consent* of our said Council to erect "constitute and establish such and so many Courts of Judica-"ture and Publick Justice, within our said Province under "your Government *as you and they* shall think fit and neces-"sary, for the hearing and determining all Causes as well "Criminal as Civil according to Law and Equity &c.

Agreeable to which, it appears by the Minutes of Council of the 20th of November 1704—That an Ordinance was made for Establishing a Court of Chancery within this Province, and his Excellency Lord Viscount Cornbury, and five of his Majestys Council, of which Roger Mompesson Esq. Chief Justice of the Province was one, were appointed and took the Oath as Judges of the said Court.

That in December 1708—Lord Lovelace being Governor—The Members of his Majestys Council severally took the

Oaths of Judges in Chancery. It likewise Appears that from the first of January 1710 Robert Hunter being then Governor, the Governor and Council being in doubt about the manner of Establishing the Court of Chancery, untill the 17th of March 1713. when the Council gave it as their Opinion, that "the Governor having the Custody of the Seal "by Patent under the Great Seal of Great Britain, was by "that Constituted Chancellor, and that he might when he "pleased constitute proper Officers, and by Proclamation "declare the said Court to be Open."—Which Opinion I conclude was founded on the following words in his Majestys Commission to his Governors.

"Our Will and Pleasure is that you shall and may use and "keep the Publick Seal of our Province of *Nova Cæsaria or* "*New Jersey* for Sealing all things whatsoever that pass the "Great Seal of our s[d] Province under your Government."

5th August 1715 That Governor Hunter took the Oath of Chancellor, from which time he and his Successors Governors of the Province have Acted as Sole Judges of the Courts of Chancery, but it does not appear that either Governors Bernard, Boone, or Hardy took the Oath of Office as Chancellor, All which shows that the Court of Chancery has from the first settlement of the Province been held upon a very uncertain and precarious footing.

I conceive the Great Seal was delivered to Viscount Cornbury as Governor, and as no express words in his Commission Authorized him to make use of it in a distinct Office, that it never was the intent of the Crown that he should by his being intrusted with the Seal only, take upon him to Act as Chancellor.—And as he could not commit it, to the Custody of any other Person than his Successor in Government I am of Opinion that the Establishing the Court of Chancery by Ordinance and appointing him as Principal Judge was agreeable to the Intent of the Crown, and the Powers given to the Governor & Council by the Words of the Commission already recited.—The Chief Justice, the Second Judge of the

Supreme Court, and two of the most Eminent Lawyers in the Province being likewise of his Majestys Council. having given their Opinion to your Excellency on this head, I would gladly have been excused from saying anything on a Subject which I think more proper for the Consideration of the Gentlemen of the Law but called upon by your Excellency I think myself bound to do it, more especially as there are several matters now depending in Chancery, and others prepared to be delivered in, as soon as you think fit to receive them, of the greatest importance, as well to the Province as to Individuals.—For which reason I think it adviseable, that your Excellency, as soon as conveniently may be, Establish a Court of Chancery by an Ordinance as it was done in the time of Viscount Cornbury, And that a proper State of this matter be drawn up and transmitted as soon as Possible, to his Majesty, for his further Instructions therein In Order that the Court in which the determination of the Property of so many of his Subjects of this Province depends, may be Established on such a footing as to remove all Doubts on this Head, and Warrant the Chancellor in his Proceedings.

Burlington March 26th 1770. JAMES PARKER

Mr. Ladds Opinion } In regard to the Court of Chancery I have nothing to say further than what has been mentioned by some of the Gentlemen of the Council, but What is within the Compass of my own Remembrance.

In the Administration of Governor Hunter, in the Year 1714 or 1715 a Land Trial of very great Consequence was had in the Supreme Court of this Province held at Burlington, and a Verdict and Judgement obtained for the Plaintiff; some Principal Lawyer concernd for the Plaintiff as May Bickley of New York, and others, after the Trial was over were Apprehensive the Defendants would Attempt to remove the Causes into Chancery; and thereupon hurried the Plaintiff from Burlington down to Gloucester, with Writs of Pos-

session, they came to my Fathers House, and the next morning the Sheriff with a number of People went and delivered the Plaintiff Possession of the Tracts of Land; I was present at the whole proceedings.

I likewise well remember several other Suits in that Court being brought, and determined, from forty to fifty Years ago, and heared the Circumstances of the several Cases, and much Conversation about them from the Parties, as well as the Attornies and Council concerned, with whom I had an intimate acquaintance; But don't recollect ever hearing any of them that disputed or questioned the Authority of the Court; These several Suits were during the Administration of Governor Hunter, Governor Burnett, Governor Montgomerie, Governor Cosby & Governor Morris, all of which I well remember. From all which Circumstances and the several Transactions had to Institute the Court, I am of Opinion the Court exists to the present time, which is humbly submitted to his Excellency Governor Franklin.

March 26th 1770. JOHN LADD

Mr. Stevens's Opinion } His Excellency Governor Franklin in the Month of November last informed the Council that some doubts had arisen respecting the Authority of the Governor to Execute the Office of Chancellor in this Province, at which time a Committee of the Council was appointed to examine on what establishment said Court has hitherto been held.—As I am not of that Committee and was not present at their Appointment I have had no Opportunity of making the necessary inquiries on a Subject of so important a Nature, but as his Excellency has now requested my Opinion I can at this time only say that from the Arguments and State of Facts now laid before the Governor and Council in writing by the Gentlemen of the Committee, who seem to have taken a good deal of Pains on the Subject, and from the other Matters laid before the Council by his Excellency, That I am of Opinion that a Court of Chancery in this Province is requisite, and that it ought to be Kept open, but that at

this time & ever since the Year 1713. the Court has not been held on a proper establishment, as no Ordinance for erecting said Court or qualification to several of the Chancellors appears. I therefore with submission Advise that the Governor and Council do form an Ordinance for the Establishment of the Court of Chancery, to Consist of his Excellency the Governor with such of the Council or others as shall be thought proper and fitting for the Trust, and that they all take the necessary Qualifications for the due discharge of their Duty; and that every Step may be taken to give Authority & Permanance to the Court; I would propose that a full State of the Court of Chancery, as to the manner in which it has been from time to time held, be made out and transmitted to our most Gracious Sovereign, for his further Instructions to the Governor with regard to his Will and Pleasure therein.

Burlington March 26th 1770. Jn° Stevens

Jn° Smith's Opinion } May it Please the Governor As it hath been desired that each Member of Council should deliver in writing his Opinion respecting the existence of a Court of Chancery in this Province, and upon the Questions, whether the Governor is constituted Chancellor thereof, or that it is in the Power of the Governor and Council by Ordinance to appoint one or more Persons to execute the Office. I have attentively heared and considered all the Arguments which have been advanced upon the Subject, and do report it as my Judgement that the Governor is appointed Sole Chancellor by these words in his Commission "And our further "Will and Pleasure is that you shall and may use and Keep "*the publick Seal* of our Province of Nova Cæsarea or New "Jersey for the Sealing all things whatsoever that pass *the* "*Great Seal* of our said Province, under your Government."

As the Offices of Lord Keeper and Lord Chancellor, were long before this in England united into one, and the Appointment of the Officer was by delivery of the Great Seal, It seems reasonable to suppose that our Great Seal being Kept in the Province, the delivery of it was intended to be done by

the above expressions, and though more apt ones might be now devised, it must be remembered those were first used near seventy Years ago, Why Lord Cornbury and his Council chose to constitute a Court and Officers by Ordinance, seems at this distance of time, attended with difficulties to explain; I conjecture one reason to have been the residence of the Governor being chiefly at New York, and that it was therefore thought necessary to have some of the Judges in the Province for the more easy recourse of Suitors. It appears however clear that in the Year 1713 the Governor and Council were of Opinion that the Governor was Sole Chancellor by being made Keeper of the Great Seal, and that Opinion and frequent practice thereupon seems to have been adopted for about half a Century. Upon this Principle strengthened by long usage, I cannot but think it quite safe, for the Governor to Proceed in doing the Business of Chancery in the usual manner—But if his Doubts continue I should think it adviseable to have a full and clear state of the Case presented to the Attorney General and Solicitor in England for their Judgement, or if he should not be willing to Keep the Office open without, or a Majority of the Council should be of Opinion that he can or ought not, then I think a new Ordinance ought to be prepared and Issue for naming the Officers and appointing regular Terms for holding the Courts, in such manner as may be agreed upon. I have not chose to enter into the first mentioned Consideration, whether a Court of Chancery does exist in the Province, because it seems to be agreed on all hands, that it either actually does, or that there are full Powers in the Governor and Council to Erect it, and in either case, the remedies and Priviledges of such an indispensable part of our Constitution, may be continued and maintained.

Burlington 3^{d} mo 26th 1770. JOHN SMITH.

P. S. If it should be concluded upon to issue an Ordinance, The Statute of 1st Wm and Mary Cap. 21. will furnish some hints for divers usefull matters not in the Old one.

Lord Stirlings Opinion } After considering the several Opinions of the Gentlemen of the Committee and the other matters laid before the Council by his Excellency the Governor on this Occasion, I think it appears that from the time of this Province first becoming an English Colony in 1664 to this day a Court of Equity in some Shape or other has always existed in it.

That during the first State of the Colony, under the Proprietory Government, the Administration of Equity was by several Judges or Commissioners appointed by the Proprietors in virtue of Powers to them from the Crown thro' the Duke of York.

That immediately after the Surrender of the Government by the Proprietors into the Hands of the Crown in 1702. Her Majesty Queen Anne appointed the Viscount Cornbury Governor of this Province, and by her Commission under the Great Seal of England impowered him with the Advice and Consent of his Council to Erect Courts of Law and Equity, and to Commissionate and appoint the Judges thereof.

That in pursuance of such power and Authority the Viscount Cornbury by and with the Advice of his Council, did by Ordinance under the Great or public Seal of the Province, appoint himself and several of the Members of his Council Judges of the Court of Equity, or Chancery, and by the same Ordinance did appoint Masters, Clerks and other officers of the Court of Chancery, and did Also therein impower the said Court to settle the Fees of the said Court, and its several Officers, untill otherwise settled by Law.

That the Court thus Constituted by Ordinance did Act, and continued to Act as a Court of Chancery during the Administrations of Lord Cornbury and Lord Lovelace.

That on Governor Hunters first meeting his Council in New Jersey in 1710 a Committee of the Council was ordered to prepare an Ordinance for the Court of Chancery, and two days after M^{r} Lewis Morris from the Committee reported, "that some difficulties arising about the *Persons* to be Com-

"missionated Judges in Chancery, and about the *manner* of "their being Commissionated, the Committee had directed "him to report the same," the matter having been debated at the Board "Ordered that the Debate be adjourned till another time," and thus the Matter rested untill the Year 1713, When Governor Hunter on the Opinion of his Council, "that by having custody of the Great or publick Seal of the "Province he was of Course Chancellor," assumed (without any Commission or appointment by and with the Consent of his Council) to be Chancellor or Sole Judge of the Court of Equity of this Province.

That not any one Governor or any other Person or Persons have since the Year 1713, been appointed Chancellor or Judge of the Court of Equity of this Province agreeable to the Directions in the Royal Commission and Instructions or otherwise.

That most of the Governors of this Province since the Year 1713. have Acted as Chancellors, upon no other Authority than the Opinion of Governor Hunter's Council, and that I think in direct Contradiction to the Royal Commission and Instructions

That tho' most of the Governors of this Province have Acted as Chancellors, and that not more than half of them Appear to have taken any Oath for the due Performance of that Office.

That the Common Law of England is so interwoven with, and qualified by the Chancery, that the one is become necessary to the existence of the other.

That as the Common Law of England is in general adopted and used in this Province, a Court of Chancery in it is become absolutely necessary.

Wherefore I am of Opinion that his Excellency Governor Franklin having never been appointed Chancellor or Judge of the Court of Equity of this Province agreeable to the directions in the Royal Commission and Instructions, nor

having ever qualified as Judge of that Court cannot be justified in Acting as Chancellor of this Province.

That the Governor by and with the Advice and Consent of his Majestys Council of this Province hath by virtue of the Royal Commission and Instructions full Power and Authority to appoint and Commissionate any person or persons they may think Proper to be the Judge or Judges of the Court of Equity of this Province, and from time to time as occasion from Death or otherwise may require to appoint and Commissionate others in their Place.

That a Court of Chancery is become so very necessary in this Province that any long delay of the appointment of the Judges thereof will be dangerous, if not ruinous to the Properties of many of its Inhabitants.

That one or more proper Persons be by Ordinance in Council immediately appointed Judge or Judges of the Court of Equity of this Province.

However if from the long practice in this Province of the Governor acting as Chancellor, any Doubt should arise of the Propriety of thus appointing Judges of the Court of Equity, I would advise that Application be made to our most gracious Sovereign for his further Instruction to the Governor with regard to his Will and Pleasure herein.

Burlington March 26th 1770. STIRLING.

It appearing that a Majority of the Members of this Board are of Opinion that the Judge or Judges of the Court of Chancery be appointed by Ordinance: The Council after mature Deliberation advised that his Excellency Governor Franklin be, by Ordinance appointed the Chancellor or Judge of the Court of Equity of this Province, and that the Attorney General be desired to prepare a Draught of an Ordinance for the better establishing the high Court of Chancery of this province, and for appointing his Excellency Governor Franklin the Chancellor or Judge thereof.

At a Council held at Burlington on Tuesday the 27th of March 1770.[1]

Present

His Excellency William Franklin Esq Governor in Chief &c

The Rt Hoñble The Earl of Stirling

The Hoñble { Charles Read, John Smith, John Stevens, Samuel Smith, John Ladd, James Parker } Esqrs

Cortland Skinner Esq. laid before the Board a Letter under the Hand of Henry Wilmot Esq. late Agent for this Colony at the Court of Great Britain, dated Bloomsbury Square 20th Septemr 1769 directed to the said Cortland Skinner Esq. in which is a Paragraph in the following words.

"Sir,

"I received your Obliging Letter of the 25th of Novemr "and according to your desire I have transmitted you my "Account. I did not know it was necessary for me to send

[1] The General Assembly, which had been in session since March 14th, was on the above-given date prorogued. While the journal of the Council, as an advisory board, during that time, has been preserved, its journal as a branch of the General Assembly cannot be found. During the eleventh day in which the body was in session the following bills were enacted, viz.:

1. An An to revive and amend An Act Entitled An Act for better settling and regulating the Militia of this Colony of New Jersey, for the repelling Invasions and Suppressing Insurrection and Rebellion.

2. An Act for preventing dangerous tumults and riotous Assemblies, and for the more speady and effectual punishing the Rioters.

3. An Act to revive and continue the Process and Proceedings lately depending in the Inferior Court of Common Pleas and Court of General Quarter Sessions of the Peace for the County of Monmouth.

4. An Act to provide more effectual Remedy against Excessive Costs in the Recovery of Debts under Fifty Pounds in this Colony, and for other Purposes therein mentioned.

5. An Act for defraying incidental charges.

6. An Act to explain and amend An Act of the General Assembly passed in the Tenth Year of his Majestys Reign, Entitled An Act for the Relief of Insolvent Debtors, and for other Purposes therein mentioned.

7. An Act to revive An Act Entitled An Act to prevent Waste from being committed upon the Common Land allotted to the Patent of Secaucus in the Corporation of Bergen.

8. An Act to Enable the Owners and Possessors of certain Meadows and Marshes bounding on Delaware River and Salem Creek, in Lower Penn's Neck, in the County of Salem, to stop out the Tide from overflowing the same.

"my Order to any Body to receive what is due, I thought "it had been remitted to me here, and I had endorsed the "Bills for it. You are very obliging in offering to receive "this Money for me, and I shall take it as a favour if you "will, and do hereby impower you to receive the same, and "as fully and effectually to give a receipt for the same, as I "myself could do if personally present."

His Excellency laid before the Board a Petition from John Fox, and another from John Throckmorton both of Amwell in the County of Hunterdon, complaining of sundry Instances of Misbehaviour in Lewis Chamberlain Esq. one of the Justices of the Peace in the said County, and praying relief from sundry Oppressions they have suffered from the Judgements of the said Lewis Chamberlain

Whereupon his Excellency with the Advice of the Council was pleased to Order the Deputy Secretary to give Notice to the said Lewis Chamberlain to appear before the Governor in Council on Wednesday the 9th of May next to Answer the said Complaints.

His Excellency also laid before the Board a Petition from Uriah Carl a Prisoner in the Gaol of the County of Monmouth, praying that his Excellency will be pleased to remit the Imprisonment he is order'd to suffer by a late Sentence of the Court of Oyer and Terminer in that County. Whereupon the Council advised his Excellency to grant the Prayer of the said Petition, on Condition that the Petitioner bind out his Daughter to her Grand mother or to such Person or Persons as any two of the Judges of the s[d] County of Monmouth shall approve, and on Condition likewise that he shall immediately depart the Province, and not return to it again.

His Excellency also laid before the Board a Petition from John Dodd and David Dodd two of the Persons concerned in the late Riot in the County of Essex, acknowledging their Contrition for the said Offence and praying that they may be released from the Imprisonment they now are under by Sentence of the Court. Whereupon the Council Advised his

Excellency to issue a Pardon for releasing the s^d^ John Dodd and David Dodd[1] from their Imprisonment, and his Excellency was Pleased to order a Pardon to be made out accordingly, and delivered to the Attorney General to be presented in open Court at the next Sessions in the County of Essex.

His Excellency was pleased to nominate the following Persons to be Justices of the Peace in the several Counties undermentioned, Viz^t^ Samuel Ogden to be a Justice of the Peace in the County of Morris.

John Hartshorne to be a Justice of the Peace in the County of Monmouth.

Thomas Terrill to be a Justice of the Peace in the County of Somerset.

Martin Ryerson and John Gregg to be Justices of the Peace in the County of Hunterdon

John Combs to be a Justice of the Peace in the County of Middlesex

Joseph Savage to be a Justice of the Peace in the County of Cape May.

His Excellency was also pleased to nominate Micajah How Esq. to be a Judge of the Pleas in the County of Hunterdon.

To all which the Council Assented

The Council being informed by some of the Members present, that Josiah Holmes, one of the Justices of the Peace in the County of Monmouth hath aided, and given Countenance to the late riotous proceedings in the County of Monmouth, and greatly misbehaved himself in his said Office advised his Excellency to remove the said Josiah Holmes from his said Office of a Justice of the Peace, And his Excellency was Pleased to order that a Supercedeas be issued directed to the said Josiah Holmes.

His Excellency was pleased with the Advice of the Council, to sign the following Warrants.

[1] See N. J. Archives, X., 187.

		£		
N° 396	To himself or order for one Quarters Salary as Commander in Chief ending 21st of February last.....	300	0	—
397	To himself or order for one Quarters House Rent.....	15	0	—
398	To the Chief Justice for one Quarters Salary.....	37	10	—
399	To Mr Justice Read for one Quarters Salary.....	12	10	—
400	To Mr Justice Berrien for one Quarters Salary.....	12	10	—
401	To the Clerk of the Council for one Quarters Salary.....	7	10	—
402	To the Attorney General for one Quarters Salary.....	7	10	—
403	To the Western Treasurer for one Quarters Salary.....	10	—	—
404	To the Eastern Treasurer for one Quarters Salary.....	10	—	—
405	To the Clerk of the Circuits for one Quarters Salary.....	5	—	—
406	To the Door Keeper of the Council for one Quarters Salary.....	2	10	—
407	To Richard Smith Esq. one of the Clerks of the Assembly for entering the Minutes in their Journal, and Copying the same and the Laws of the last Session for the Printer..	34	9	—
408	To the Deputy Secretary for Copying the Laws of the two last Sessions to send to England.....	16	19	4
409	To the Chief Justice for holding a Special Court of Oyer and Terminer in the County of Essex, and a like Court in the County of Monmouth in February last.....	20	—	—

410	To James Parker Esq. his Majestys Printer to this Province for printing the Laws and Votes of the Sessions of General Assembly in 1769	194	1	9
411	To David Overton Door Keeper to the House of Assembly for 58 days attendance at the Session in 1769, and 14 days attendance at this Session	12	12	—
412	To Richard Smith Esq. for 14 days attendance as Clerk of the Assembly at this Session, and for Extra Services as allowed by an Act for defraying incidental Charges	12	0	—
413	To Cortland Skinner Esq. for three Years Salary to Henry Wilmot Esq. Agent for this Colony at the Court of Great Britain allowed by several Acts of Assembly	300	0	—
392	To the Hoñble John Stevens Esq. (in lieu of a Warrant of the 6th of Decemr last suggested to have been lost)	6	12	—
395	To the Hoñble James Parker Esq. (in lieu of a Warrant dated the 6th of December last suggested to have been lost)	12	0	—
414	To the Rt Hoñble the Earl of Stirling for twenty days Attendance as one of his Majestys Council at this Session	6	0	—
415	To the Hoñble Charles Read Esq. for sixteen days attendance	4	16	—
416	To the Hoñble John Smith Esq. for fourteen days attendance	4	4	—

417	To the Hoñble John Stevens Esq. for fifteen days attendance.....	4 „ 10 „ —
418	To the Hoñble Samuel Smith Esq. for fourteen days attendance.....	4 „ 4 „ —
419	To the Hoñble John Ladd Esq. for sixteen days attendance.....	4 „ 16 „ 0
420	To the Hoñble James Parker Esq. for eighteen days attendance.....	5 „ 8 „ —
421	To the Hoñble Richard Stockton Esq. for nine days attendance.....	2 „ 14 „ —

The Attorney General having prepared the Draught of an Ordinance, Agreeable to the Order of Yesterday, the same was laid before the Board, which being read was after some Amendments made therein, approved and ordered to be engrossed.

At a Council held at Burlington on Wednesday the 28th of March 1770.

Present

His Excellency William Franklin Esq. Governor in Chief &c

The Rt Hoñble The Earl of Stirling

The Hoñble { Charles Read, John Smith, John Stevens, Samuel Smith, John Ladd, James Parker } Esqrs

The engrossed Ordinance for the better establishing the High Court of Chancery of this Province, and for appointing his Excellency Governor Franklin Chancellor or Judge thereof being read and compared, was unanimously consented to and passed. And his Excellency the Governor was humbly requested to order the Great Seal to be Affixed thereto, and that the same be duly published and recorded, which his Excellency promised should be done accordingly.

Then the Oath appointed by the said Ordinance to be

taken by the Chancellor was Administered to his Excellency by one of the Members of the Council in Presence of the Council.

At a Councill held at Burlington on Wednesday the 9th of May 1770.

Present

His Excellency William Franklin Esq Governor

The Honble { David Ogden, Charles Read, John Smith, Samuel Smith, James Parker, The Chief Justice, Richard Stockton } Esqrs

The Board taking into Consideration the Complaints of John Fox, & John Throckmorton exhibited on the twenty seventh day of March last against Lewis Chamberlain Esqr one of the Justices of the Peace in the County of Hunterdon, and the Parties being called in and fully heared, the Board were unanimously of Opinion that the said Complaints were by no means supported, and that it did not appear that the said Justice had acted in anywise inconsistent with his Duty as a Magistrate in the matters complained of

The Board likewise taking into Consideration the Complaint of several of the Justices of the County of Burlington against Isaac Ivins Esq one of the Justices of the Peace in the said County His Excellency laid before the Board a Letter from the said Isaac Ivins requesting a dismission from his said Office, whereupon the Council advised his Excellency to order a Supercedeas to issue to the said Isaac Ivins.

His Excellency laid before the Board a Complaint in writing exhibited by John Corwine against the said Lewis Chamberlain Esqr which Complaint is now filed, and the parties being called in and heared, the Board were of Opinion that the Facts charged in the said Complaint were not supported in such manner as to Merit any censure on the Conduct of the said Justice.

The Council Advised his Excellency to issue a Commission of Oyer and Terminer for holding a Court in the County of Monmouth on the 28th Instant directed to the same Gentlemen as Judges who were inserted in the last Commission for that County, together with Walter Livingston Esq.

His Excellency was pleased te Sign the following Warrants To the Treasurers of New Jersey to pay.

N° 422 To the Hoñble the Chief Justice for holding the Court of Oyer and Terminer, and General Gaol Delivery in the Counties of Gloucester, Salem, and Cumberland in April last: and a Court of Oyer and Terminer and General Gaol Delivery in the County of Cape May the 4th Instant..... £40 „ — „ —

N° 423 To Thomas Wetherill for seventy two days attendance as Serjeant at Arms the two last Sessions of General Assembly..... £10 „ 16 „ —

His Excellency was pleased to nominate John Lake junior to be a Coroner in the County of Burlington to which the Council assented.

At a Council held at Burlington on Friday the 12th day of May 1770

Present

His Excellency the Governor

The Hoñble { David Ogden, Charles Read, Samuel Smith, James Parker, The Chief Justice, Richard Stockton } Esqrs

His Excellency was pleased to nominate the following Persons to be Justices of the peace.

Trevor Newland to be a Justice of the peace in the County

of Monmouth. Abram Cottnam Esq[r] Absalom Bainbridge, and Henry Cook, to be Justices of the Peace in the County of Hunterdon, and Garret Thibou Justice of the Peace in the County of Bergen.

His Excellency was also pleased to nominate Lewis Chamberlain Esq[r] to be a Judge of the Pleas in the County of Hunterdon, and Joseph Skelton Esq[r] a Judge of the Pleas in the County of Middlesex.

To all which the Council assented.

His Excellency laid before the Board a Petition from sundry of the Inhabitants of the Township of Mansfield in the County of Burlington praying that a patent may be granted for the same, and a Draught of the patent being read and approved of, the Board advise his Excellency to affix the Seal thereto.

M[r] Parker presented to the Board an application in writing praying the Governor would be pleased to issue his proclamation to the Officers and Magistrates of this Province, requiring them to aid and Assist the Agents Surveyors and others appointed to settle the Boundary Line between this Province and the Province of New York.

Whereupon His Excellency with the Advice of the Council was pleased to issue the following proclamation.

[Seal at Arms]

By His Excellency William Franklin Esq. Captain General, Governor and Commander in Chief in and over the province of New Jersey, and Territories thereon depending in America Chancellor and Vice Admiral in the same &[c]

A Proclamation

Whereas it hath been represented to Me by the Agents on the part of New Jersey for managing the Controversey relative to the Boundary Line between this Province, and the province of New York; that the Agents for the two provinces have mutually agreed to run the Line from the Lattitude of forty one Degrees on Hudson's River, to the Mouth

of Mahackamack on Delaware River, according to the Decree of the Court of Commissioners appointed by his Majesty for that purpose, in order to promote the final Establishment thereof; and by confirming the Bona Fide purchasers, who are settlers in their possessions on each side of the said Line, quiet the Minds of the People, and Secure the peace and Tranquility of that part of the Province, for which purpose they have appointed Surveyors to begin to run the said Line on the Twenty first day of this Instant May, under the Inspection of William Wickham and John De Noyellis Esq^{rs} on the part of New York, and John Stevens, Walter Rutherford and James Parker Esq^{rs} or any two of them on the part of New Jersey

I do therefore with the Advice and Consent of His Majestys Council hereby strictly command and enjoin all officers Civil and Military, and other the Inhabitants of this Province, that they by no means obstruct a Work so Salutary, and of so much Consequence to the Peace of both Colonies, especially to the inhabitants residing on or near the said Line: but to be aiding and assisting to the said Agents, Surveyors and others employed in running the said Line, and such other matters as the said Agents by mutual Agreement shall direct to be done for the purposes aforesaid.

And I do hereby strictly charge and command all Officers, Civil and Military, and other his Majesty's Liege Subjects of this province to apprehend and bring to punishment all and every Person and Persons whatsoever who shall presume to Molest or hinder the said Agents, Surveyors and others, or either of them in the Services aforesaid, as they will answer the Contrary at their Peril.

Given under my Hand and Seal at Arms at the City of Burlington the twelfth day of May in the tenth year of his Majestys Reign Anno Domini 1770

W^{m} FRANKLIN

By His Excellenc'y Command
CHA^{s} PETTIT, D Secretary.

God save the King

At a Council held at Burlington on Saturday the 9th of June 1770.

Present

His Excellency the Governor

The Hoñble { Charles Read, John Smith, Samuel Smith } Esqrs

His Excellency was pleased to nominate Ebenezer Foster to be a Justice of the peace in the County of Middlesex, and Augustine Ried to be a Justice of the Peace for the County of Morris. To which the Council assented.

His Excellency was pleased to sign the following Warrants

N° 424	To himself or Order one Quarters Salary as Commander in Chief of this province, ending the 21st of May last	£300 „ — „ —
425	To himself or Order one Quarters House Rent	15 „ — „ —
426	To the Chief Justice one Quarters Salary	37 „ 10 „ 0
427	To Mr Justice Reed one ditto	12 „ 10 „ 0
428	To Mr Justice Berrien one d°	12 „ 10 „ —
429	To the Clerk of the Council one d°	7 „ 10 „ —
430	To Attorney General one d°	7 „ 10 „ —
431	To the Western Treasurer one d°	10 „ — „ —
432	To the Eastern Treasurer one Quarters Salary	10 „ — „ —
433	To the Clerk of the Circuits one d°	5 „ — „ —
434	To the Door keeper of the Council one d°	2 „ 10 „ —
435	To the Deputy Secretary for copying the Laws of last Sessions to go to England	1 „ 18 „ 4

436 To Richard Smith Esq[r] one of the Clerks of the House of Assembly for entering the Minutes of last Sessions in a Journal, Copying the same for the Printer, and Copying the Laws for the Printer..... 6 „ 1 „ 8

437 To the Hoñble Samuel Smith Esq one of the Treasurers of this Province for exchanging the ragged & Torn Bills of Credit amounting to £5398 „ 0 „ 9 at 6[d] ℔ £ £134 „ 19 „ 0 and for sinking £5653. 4. 9. at 1 p[r] Cent..... 56 „ 10 „ 8 ——— 191 „ 9 „ 8

At a Council held at Burlington on Tuesday the 21[st] of August 1770

Present

His Excellency William Franklin Esq. Governor

The Hoñble { Charles Read, John Smith, Samuel Smith } Esq[rs]

His Excellency was pleased to sign the following Warrants to the Treasurers, ordering them, or either of them, to pay

N° 438 To Himself or Order for one Quarters Salary as Commander in Chief of this Province ending this day... 300 „ — „ —

439 To Himself or Order One Q[rs] House Rent..... 15 „ — „ —

440 To the Chief Justice One Q[rs] Salary... 37 „ 10 „ —

441 To M[r] Justice Read d°..... 12 „ 10 „ —

442 To M[r] Justice Berrien d°..... 12 „ 10 „ —

443 To the Clerk of the Council d°... ..... 7 „ 10 „ —

444 To the Attorney General d°..... 7 „ 10 „ —

445 To the Western Treasure d°..... 10 „ — „ —

446 To the Eastern Treasurer d°..... 10 „ — „ —
447 To the Clerk of the Circuits d°..... 5 „ — „ —
448 To the Door Keeper of the Council d° 2 „ 10 „ —

His Excellency was pleased to lay before the Board His Majestys disallowance of two Acts of the General Assembly of this Province passed in the ninth Year of His Majestys Reign, together with the Report of the Board of Trade to His Majesty respecting the said Acts which disallowance is in the words following

[Privy Seal] At the Court at S^{t} James's the sixth day of June 1770.

Present
The Kings most Excellent Majesty

Lord President
Duke of Queensbury
Duke of Ancaster
Earl of Rochford
Earl of Bristol
Viscount Weymouth
Viscount Barrington

Whereas by Commission under the Great Seal of Great Britain the Governor, Council and Assembly of His Majestys Province of New Jersey are Authorized and Impowered to make constitute and ordain Laws Statutes, and Ordinances for the publick Peace welfare and good Government of the said Province; which Laws Statutes and Ordinances are to be as near as conveniently may be, agreeable to the Laws and Statutes of this Kingdom and are to be transmitted for His Majestys Royal Approbation or disallowance

And whereas in pursuance of the said powers, an Act was passed in the said province, in the year 1769 and transmitted intituled as follows Viz^{t} "A Supplementary Act to an Act "intituled an Act appointing Commissioners for finally set- "tling & determining the several Rights, Titles and Claims "to the Common Lands of the Township of Bergen, and for

"making Partition thereof in just and equitable proportions, "among those who shall be adjudged by the said Commis- "sioners to be entitled to the same."

Which Act together with a Representation from the Lords Commissioners for Trade and Plantations, thereupon having been referred to the Consideration of a Committee of the Lords of his Majesty's most Honourable Privy Council, The Lords of the Committee did this day report to His Majesty as their Opinion that the said Act ought to be disallowed. His Majesty taking the same into Consideration was pleased with the Advice of his privy Council to declare his disallowance of the said Act, and pursuant to his Majesty's Royal pleasure thereupon expressed, the said Act is hereby disallowed, declared Void and of none Effect; Whereof the Governor or Commander in Chief of His Majestys said Province of New Jersey for the time being and all others whom it may concern, are to take notice and Govern themselves accordingly.

STEPH: COTHELL

[Privy Seal.] At the Court at S^{t} James's the 6th day of June 1770.

Present
The Kings most Excellent Majesty

Lord President	Earl of Bristol
Duke of Queensbury	Viscount Weymouth
Duke of Ancaster	Viscount Barrington
Earl of Rochford	

Whereas by Commission under the Great Seal of Great Britain the Governor, Council, and Assembly of His Majestys Province of New Jersey, are Authorized and Impowered to make, constitute, and ordain Laws, Statutes, and Ordinances for the publick peace, welfare and good Government of the said Province, which Laws Statutes and Ordinances are to be,

as near as conveniently may be agreeable to the Laws and Statutes of this Kingdom, and are to be transmitted for his Majesty's Royal Approbation, or disallowance. And whereas in pursuance of the said powers, An Act was passed in the s[d] Province in the year 1769 and transmitted, intituled as follows, Viz[t]

"An Act for striking One hundred thousand pounds in "Bills of Credit"

Which Act together with a Representation from the Lords Commissioners for Trade and Plantations, thereupon having been referred to the Consideration of a Committee of the Lords of His Majestys most Honourable Privy Council The said Lords of the Committee did this day report to His Majesty as their Opinion, that the said Act ought to be disallowed. His Majesty taking the same into Consideration, was pleased, with the Advice of His Privy Council, to declare his disallowance of the said Act, and pursuant to his Majesty's Royal Pleasure thereupon expressed the said Act is hereby disallowed, declared Void and of none Effect, Whereof the Governor or Commander in Chief of His Majestys said Province of New Jersey for the time being, and all others whom it may concern, are to take Notice and Govern themselves accordingly.

STEPH COTHELL.

His Excellency was pleased to ask the Advice of the Council as to the time of calling the General Assembly, and the Council Advised his Excellency to appoint the Meeting of the General Assembly on Wednesday the 26[th] day of September next, at Perth Amboy.

At a Council held at Perth Amboy on Friday the 28th of September 1770

Present

His Excellency William Franklin Esq. Governor &c

R^t Hoñble The Earl of Stirling
The Hoñble The Chief Justice
James Parker

Stephen Skinner Esq^r came into Council and presented to his Excellency the Governor, His Majesty's Mandamus under the privy Seal, which was read, and is in the following words

[L. S.]

George R.

Trusty and well beloved, We Greet you well, We being well satisfied of the Loyalty, Integrity and Ability of our Trusty and welbeloved Stephen Skinner Esq^r have thought fit hereby to signify our Will and Pleasure to you, that forthwith upon Receipt hereof, you Swear and admit him the said Stephen Skinner to be of our Council, in our Province of New Jersey, in America, in the room of Lewis [Morris] Ashfield Esquire deceased, And for so doing this shall be your Warrant, And so We bid you farewell. Given at our Court at S^t James's the sixteenth day of December 1769 in the tenth Year of our Reign

By His Majesty's Command

HILLSBOROUGH

Superscribed thus.

To our Trusty and Welbeloved William Franklin Esq. our Captain General and Governor in Chief in and over our Province of Nova Cæsarea or New Jersey in America, and in his Absence to the President of our Council, or to the Commander in Chief of our said Province for the time being.

Whereupon the said Stephen Skinner Esq. took the Oath and made and subscribed the Declaration according to Law

and also the oath of a Privy Counsellor, and was admitted to his Seat accordingly

At a Council held at Perth Amboy on Monday October the 8th 1770.

Present

His Excellency the Governor

The Honble	Peter Kemble	The Chief Justice	Esqrs
Rt Honble	Earl of Stirling	Stephen Skinner	

Cortland Skinner Esq. the Speaker of the House of Assembly having been taken ill during this Session of General Assembly Mr Fisher and Mr Wetherill from the House of Representatives waited on his Excellency, and requested leave to proceed to the Choice of a New Speaker, to which his Excellency was pleased to Assent.

Mr Berrien and Mr Smith from the House of Representatives waited on his Excellency and informed him that the House had chosen Stephen Crane Esqre for their Speaker, and desired to know when his Excellency would be pleased to receive their presentation of him. Whereupon his Excellency was pleased to say he would receive the House immediately in the Council Chamber

The House of Representatives attended in the Council Chamber, and presented Stephen Crane Esqr as their Speaker of whom his Excellency was pleased to approve.

At a Council held at Perth Amboy on Wednesday October the 17th 1770

Present

His Excellency the Governor

	Peter Kemble		
The Honble	David Ogden	James Parker	
Rt Honble	Earl of Stirling	The Chief Justice	Esqrs
The Honble	John Stephens	Stephen Skinner	

His Excellency was pleased to sign the following Warrant

N° 449 To the Hoñble Frederick Smith Esq^re^ for holding the Courts of Oyer and Terminer in the Counties of Hunterdon and Monmouth in May, in Somerset in June, and in Bergen in September last..... £40 „ — „ —

His Excellency informed the Board that the Clerk of the Crown pursuant to a Warrant from the late Speaker of the House of Assembly had applied to him to order the Great Seal to be affixed to a Writ, for the Election of a Member to serve in the General Assembly of this Province for the County of Essex in the Room of John Ogden Esq^r^ who hath resigned with the leave of the House and his Excellency doubting the Legality of such Resignation, desired the Opinion of the Council whether it would be proper to order the said Writ to be Sealed or not.

The Council taking the same into Consideration desired time to confer thereon, and Examine Precedents.

His Excellency was pleased to lay before the Board sundry Complaints and Affidavits relative to the Conduct of Elisha Bassett Esq^r^ one of the Justices of the Peace in the County of Salem: whereupon the Council advised his Excellency to order the D Secretary to notify the said Elisha Bassett of the said Complaint, and require him to attend his Excellency in Council at Burlington on the 21^st^ day of November next, to answer the said Complaint

His Excellency was pleased to nominate the following Persons to be Justices of the Peace, Viz^t^

Thomas Brown (of the Quorum) Daniel Smith, John Jacobus Van Boskirk, and Abraham Montaine, for the County of Bergen. David Miller for the County of Essex. And Constant King for the County of Morris.

His Excellency was also pleased to nominate John Benson and Abraham Jacobus Ackerman, to be Coroners in the

County of Bergen. And Joseph Olden to be a Coroner in the County of Middlesex. To all which nominations the Council Assented.

At a Council held at Perth Amboy on Friday the 26th of October 1770.

Present

His Excellency the Governor

The Honble	Peter Kemble	
Rt. Honble	Earl of Stirling	James Parker
The Honble	John Stevens	The Chief Justice

His Excellency was pleased to nominate Abraham Van Campen, and William Annis to be Justices of the Peace, and Mr Robert McMurtrie to be a Judge of the Pleas for the County of Sussex, to which the Council assented.

The Board having resumed the Consideration of the Matter referred to them by his Excellency on the seventeenth Instant, relative to the Sealing a Writ for the Election of a Member to serve in the General Assembly in the Room of John Ogden Esqr who hath resigned, were unanimously of Opinion that the voluntary Resignation of a Member of the Assembly without any Legal Cause, or disability to continue his attendance in the House being assigned may be introductive of great inconvenience to the Province, and so far as appears to them at present is a proceeding totally unsupported by any precedent from the Usage of Parliamt The Council therefore advised his Excellency to defer the Sealing or Issuing a Writ for the Election of a Member for the County of Essex in the Room of the said John Ogden Esqr till farther Light can be obtained on the Subject of the present Doubt.

At a Council held at Perth Amboy on Saturday October 27th 1770.

Present

His Excellency The Governor

The Hoñble Peter Kemble
Rt Hoñble Earl of Stirling
John Stevens
The Hoñble { James Parker
The Chief Justice

His Excellency was pleased to sign the following Warrants.

N° 450	To the Hoñble Peter Kemble Esq for twenty days attendance as one of His Majesty's Council at this Session	7 „ 16 „ 0
451	To the Hoñble David Ogden Esq. for twenty one days attendance as one of the Council at the same Sessions	6 „ 6 „ —
452	To the Rt Hoñble William Earl of Stirling for thirty three days attendance as one of the Council at the same Sessions.....	9 „ 18 „ —
453	To the Honble John Stevens Esq for nineteen days Attendance, as one of the Council at the same Sessions....	5 „ 14 „ 0
454	To the Hoñble James Parker Esq for eighteen days Attendance as one of the Council at the same Sessions....	5 „ 8 „ —
455	To the Hoñble Frederick Smith Esq. for thirty three days attendance, as one of the Council at the same Sessions..	9 „ 18 „ —
456	To the Hoñble Stephen Skinner Esqr for thirty three days attendance as one of the Council at the same Sessions.....	9 „ 18 „ —

457 To the Honble Stephen Skinner Esq. one of the Treasurers of this Province for sinking £13543 „ 16 „ 8, at 1 ℔ Cent, as ℔ Certificate now produced in Council..... 135 „ 8 „ 9

458 To Henry Richards, Doorkeeper to the House of Assembly, thirty two days Attendance this Sessions at 3/6 ℔ Diem..... 5 „ 12 „ —

459 To Andrew Robinson for thirty two days Attendance as Serjeant at Arms to the House of Assembly at 3/ ℔ Diem..... 4 „ 16 „ 0

460 To Jonathan Deare Esq for thirty two days Attendance as Clerk of the Assembly at this Session and for pen, Ink, & paper &c as allowed ℔ Support Bill..... 26 „ — „ —

461 To Margaret Hews Widow of Richd Hews late Doorkeeper to the House of Assembly, One Year and three quarters Salary to the 7th of February 1770..... 17 „ 10 „ —

462 To Edward Haswell Doorkeeper to the Council half years Salary, from the 7th February to the 7th of August..... 5 „ — „ —

463 To Isaac Bonnell Esq Barrak Master of New Jersey..... 300 „ — „ —

A true Copy of the Minutes of the privy Council of New Jersey from the 9th day of May 1770 to the 27th of October 1770.

Chas Pettit D. Clk

[L. S.] A Journal of the Votes and proceedings of the Council of New Jersey at a Session of the General Assembly of the said Province begun and held at Perth Amboy on Wednesday the 26th day of September 1770.

The heavy Rains and Stormy Weather on Tuesday last having prevented some of the Members of this House from setting out from home on that day, and some other Members being detained at home by Sickness, the House did not meet on the day to which the General Assembly of this Province stood Prorogued by his Excellency's Proclamation.

Thursday September 27th 1770 The House met

Present
The Rt Hoñble The Earl of Stirling
The Hoñble { The Chief Justice
James Parker Esq.

The House continued till tomorrow

Friday September 28th The House met.

Present
The Rt Hoñble The Earl of Stirling
The Hoñble { The Chief Justice
James Parker
Stephen Skinner } Esqrs

His Excellency came into the Council Chamber, and having by the Deputy Secretary commanded the Attendance of the House of Assembly, the Speaker with the House Attended, and his Excellency was pleased to make the following Speech to both Houses.

Gentlemen of the Council, and Gentlemen of the General Assembly.

Since the last Session I have received his Majesty's Royal disallowance of the Act for striking one hundred thousand Pounds in Bills of Credit. The Grounds of this disallowance will be explained to you by the report of the Board of Trade upon that Law,[1] If on Consideration you should be of Opinion that a new Act may be so framed as to obviate those Objections, and yet Answer the Salutary Purposes intended by the other, you may be assured it will give me Pleasure to be able to afford it my Concurrence, and that I shall use all the Endeavours to obtain his Majesty's Confirmation of it which may be in my Power.

Gentlemen of the General Assembly.

I have only to request, at present, that you would make due provision for the Support of Government, and for the Supply of his Majesty's Troops Stationed in this Province.

Gentlemen of the Council and Gentlemen of the General Assembly.

The Experience I have had of your good dispositions renders it unnecessary to recommend to you a preservation of that Harmony and good understanding which is so beneficial to the Publick. I have therefore only to wish that our mutual Endeavours to promote his Majesty's Service and the wellfare of his Subjects in this Province may be attended with Success equal to our Intentions.

Council Chamber
Sep^{r} 28th 1770 } Wm Franklin

After which the Speaker with the House of Assembly withdrew.

The House continued till tomorrow

[1] See N. J. Archives, X., 106.

Saturday September 29th The House met

Present
The Rt Hoñble The Earl of Stirling
The Hoñble { The Chief Justice, James Parker, Stephen Skinner } Esqrs

The House continued till Monday

Monday October the first, The House met

Present.
The Rt Hoñble The Earl of Stirling
The Hoñble { The Chief Justice, Stephen Skinner Esq.

The House continued till to Morrow

Tuesday October 2d The House met

Present
The Rt Honble The Earl of Stirling
The Hoñble { The Chief Justice, Stephen Skinner Esq.

The House continued till to Morrow.

Wednesday October 3d The House met.

Present
The Rt Honble The Earl of Stirling
The Honble { The Chief Justice, Stephen Skinner Esq.

The House continued till to Morrow

Thursday October 4th The House met.

Present
The Honble Peter Kemble Esq.
Rt Honble The Earl of Sterling
The Honble { The Chief Justice
Stephen Skinner Esq.

The House continued till to Morrow

Friday October 5th The House met

Present
Honble Peter Kimble Esq. The Chief Justice
Rt Honble The Earl of Sterling Stephen Skinner Esq.

The House continued till to morrow

Saturday October 6th The House met

Present
The Honble Peter Kemble
Rt Honble The Earl of Stirling
The Honble { The Chief Justice
Stephen Skinner Esq.

The House continued till Monday

Monday October 8th The House met

Present
The Honble Peter Kemble Esq.
Rt Honble The Earl of Sterling
The Honble { The Chief Justice
Stephen Skinner Esqr

The House continued till to Morrow

Tuesday October 9th The House met

Present
The Honble Peter Kemble Esq
Honble David Ogden The Chief Justice
Rt Honble The Earl of Stirling Stephen Skinner Esq.

A Message from the House of Assembly by Mr Tucker, and Mr Price in the words following.

"Ordered that Mr Hewlings, Mr Hart, Mr Bullock, Mr "Hinchman, & Mr Demarest, or any three of them, be a "Committee to join a Committee of the Council to adjust the "Barrack Masters Accounts, and that Mr Tucker and Mr "Price do inform the Council thereof, and desire the Council "to appoint a Committee for that purpose together with the "time and place of Meeting"

The Council taking the same into Consideration Ordered,

That Mr Ogden, Mr Stevens, and Mr Skinner or any two of them be a Committee to meet a Committee of the House of Assembly to settle and adjust the Barrack Masters Accounts, and that the said Committees meet at Wrights Tavern this afternoon at five o'Clock.

Ordered,

That Mr Skinner do acquaint the House of Assembly therewith.

Mr Skinner reported that he had obeyed the above Order

The House continued till to Morrow

Wednesday October the 10th The House Met

Present
Honble Peter Kemble Esqr
Honble David Ogden The Chief Justice
Rt Honble The Earl of Stirling Stephen Skinner Esqr

Mr Price and Mr Dey from the House of Assembly presented for the Concurrence of this House a Bill entituled "An Act to Enable Persons who are his Majesty's Liege Sub-"jects either by Birth or Naturalization to inherit and hold "Real Estate, notwithstanding the purchase, grant, or devise, "were made before Naturalization within this Colony" and "Also a Bill intituled "An Act continuing An Act intituled "An Act for preventing Frauds by Mortgages, which shall "be made and executed after the first day of January One "thousand seven hundred and sixty six."

Which Bills were severally read the first time, and ordered a Second Reading.

The House continued till to Morrow

Thursday October 11th The House met.

Present

The Hoñble { Peter Kemble Esq, David Ogden, John Stevens } { The Chief Justice, Stephen Skinner } Esqrs

The Bill intituled An Act to enable Persons who are his Majesty's Liege Subjects either by Birth or Naturalization &c was read the Second time and ordered a third reading.

The Bill intituled An Act continuing An Act intituled An Act for preventing Frauds by Mortgages &c was read the Second time and Ordered a third reading.

The House continued till to Morrow

Friday October 12th The House met.

Present

The Hoñble { Peter Kemble Esq, David Ogden, John Stevens } { The Chief Justice, Stephen Skinner } Esqrs

Mr Paxson and Mr Taylor from the House of Assembly presented for the Concurrence of this House a Bill intituled An Act to regulate the Pasturing the Lands Meadows & Island in Common lying on, and adjoining to a certain Beach known by the name of Barnagat, or long Beach, and for other purposes therein mentioned, Which was read the first time and ordered a Second reading.

The House continued till 3 o'clock P. M.

Three o'Clock P. M. The House met.

Present

The Hoñble { Peter Kemble, David Ogden, John Stevens } { The Chief Justice, Stephen Skinner } Esqrs

The Bill intituled An Act to regulate the Pasturing the lands Meadows and Islands in Common lying on and adjoining to a certain Beach &c was read the Second time and ordered a third reading.

The House continued till to Morrow

Saturday October 13th The House met

Present

The Hoñble { Peter Kemble, David Ogden, John Stevens } { The Chief Justice, Stephen Skinner } Esqrs

Mr Hinchman and Mr Price from the House of Assembly presented for the Concurrence of this House, a Bill intituled An Act to prevent Swine running at large in the Town of Haddonfield in the County of Gloucester, which was read the first time and ordered a Second reading.

The Petition of Thomas Redman and twenty other Persons praying that the said Bill may be passed into a law was read.

The House continued till Monday

Monday October 15th The House met

Present

The Honble { Peter Kemble, David Ogden } Esqrs { John Stevens, The Chief Justice, Stephen Skinner } Esqrs
Rt Honble The Earl of Stirling

Mr Bullock and Mr Hinchman from the House of Assembly presented for the Concurrence of this House, a Bill intituled An Act to vacate a certain Bond or Obligation given and executed by Samuel Rogers late of the County of Monmouth decd to Richard Stevens and Robert Lawrence, which was read the first time and ordered a Second reading.

The House continued till to Morrow

Tuesday October 16th The House met

Present

The Honble { Peter Kemble, David Ogden } { John Stevens, The Chief Justice, Stephen Skinner } Esqrs
Rt Honble Earl of Stirling

The House continued till to Morrow

Wednesday October 17th The House met

Present

Peter Kemble

The Honble { David Ogden, Earl of Stirling, John Stevens } { James Parker, The Chief Justice, Stephen Skinner } Esqrs
Rt Honble
The Honble

The Bill intituled An Act to vacate a certain Bond or Obligation given and executed by Samuel Rogers &c was read the Second time, and committed to the Members of this House or any three of them.

The House continued till to morrow

Thursday October 18th The House met.

Present
Peter Kemble

The Honble	David Ogden	James Parker	
Rt Honble	Earl of Stirling	The Chief Justice	Esqrs
The Honble	John Stevens	Stephen Skinner	

The Bill intituled an Act to prevent Swine running at Large in the Town of Haddonfield &c was read the Second time and ordered a third reading.

The Bill intituled an Act continuing an Act intituled An Act for preventing Frauds by Mortgages which shall be made and executed after the first day of January One thousand seven hundred and sixty-six, was read the third time, and

On the Question

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

The House continued till 3 o'Clock P. M.

Three o'Clock P. M. The House Met.

Present
Peter Kemble

The Honble	David Ogden	James Parker	
Rt Honble	Earl of Stirling	The Chief Justice	Esqrs
The Honble	John Stevens	Stephen Skinner	

His Excellency came into the Council Chamber, and having by the Deputy Secretary signified to the House of Assembly that he was ready to receive the address of the House, the Speaker with the House attended, and delivered the following Address.

To His Excellency William Franklin Esqr Captain General, Governor and Commander in Chief in and over the Colony

of Nova Cæsaria or New Jersey, and Territories thereon depending in America, Chancellor and Vice Admiral in the same &c[a]

The Humble Address of the Representatives of said Colony in General Assembly convened.

May it Please your Excellency.

We his Majesty's dutifull and Loyal Subjects the Representatives of New Jersey in General Assembly convened cannot but be sensibly affected with what your Excellency has been pleased to declare respecting the Fate of the Paper Money Bill sent home for his Majesty's Approbation; the assurances given your Excellency by the Ministry of their Willingness to indulge this Colony with a Loan Office Bill under certain restrictions, was what induced us to wave very essential Considerations in the framing of this Bill, because as it was not our Intention to interfere with the Act of Parliament, so we carefully avoided everything We apprehended might be construed to militate against it, but from the Reason given in the Report of the Board of Trade to the King against this law communicated by your Excellency We are discouraged at present from attempting another Bill, as We cannot see how it can be so framed as to obviate the Objection, and yet Answer the purposes of a Currency. We however thank your Excellency for your readiness to use all y[e] endeavours in your Power to obtain his Majestys Assent, if a Bill could be so framed, and yet answer the good Purposes intended.

We have under Consideration, and shall pay all due attention to the several matters recommended by your Excellency, and hope for a continuance of that Harmony and good Understanding in transacting y[e] Business of this Session which We have heretofore experienced to be productive of great Advantages to the Colony.

STEPHEN CRANE Speaker.

Mr Tucker and Mr Hewlings from the House of Assembly presented for the Concurrence of this House a Bill intituled a Supplementary Act to an Act intituled An Act for the better enabling of Creditors to recover their just Debts from Persons who abscond themselves, and

A Bill intituled An Act to naturalize Frederick Outgelt Leonard Nymaster, Peter Lupp, John Bower, Lawrence Eykienier, George Obert, Peter Obert, and John Irich.

Which Bills were severally read the first time and ordered a second reading.

The House continued till to Morrow

Friday October 19th The House met

Present

Peter Kemble

The Honble	David Ogden	James Parker	Esqrs
Rt Honble	Earl of Stirling	The Chief Justice	
The Honble	John Stevens	Stephen Skinner	

The Bill intituled a Supplementary Act to an Act intituled An Act for better enabling of Creditors to recover their just Debts from Persons who abscond themselves, was read the Second time and committed to the Gentlemen of the Council or any three of them. The Bill intituled An Act to Naturalize Frederick Outgelt and others, was read the second time, and ordered a third reading. The Bill intituled An Act to prevent Swine running at large in the Town of Haddonfield in the County of Gloucester was read the third time, and

On the Question

Resolved, that the same do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Skinner do acquaint the House of Assembly that the Council have passed the said Bill, and also the Bill intituled An Act continuing An Act intituled An Act

for preventing Frauds by Mortgages &c without any Amendments.

Mr Skinner reported that he had Obeyed the above Order of the House.

The Bill intituled An Act to regulate the Pasturing the Lands, Meadows and Islands in Common lying on, and adjoining to a certain Beach known by the name of Barnegat or long Beach, and for other purposes therein mentioned, was read the third time, and

On the Question,

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same.

Ordered, that Mr Parker do acquaint the House of Assembly therewith.

Mr Parker from the Committee to whom was referred the Bill intituled An Act to enable Persons who are his Majesty's Liege Subjects either by Birth or Naturalization to Inherit and hold Real Estates &cs reported that the said Committee had made one Amendment to the said Bill, which he was ready to report when the House would be pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Parker read the said Amendment in his place and delivered it in at the Table.

The said Amendment being read the second time was agreed to by the House, and ordered to be Engrossed

The Engrossed Amendment to the Bill intituled An Act to Enable Persons who are his Majesty's Liege Subjects &c to hold Real Estate &c being read and compared, Ordered that the Speaker do sign the same—The Bill intituled an Act to enable Persons who are his Majestys Liege Subjects, either by Birth or Naturalization to inherit Real Estates &c was read the third time, with the Amendment in its place, and

On the Question,

Resolved, that the same as Amended do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Parker do carry the said Bill and Amendment to the House of Assembly and desire their Concurrence to the said Amendment

Mr Parker reported that he had Obeyed the two foregoing Orders of the House

The House continued till to Morrow

Saturday October 20th The House met

Present

Peter Kemble

The Honble	David Ogden	James Parker	
Rt Honble	Earl of Stirling	The Chief Justice	Esqrs
The Honble	John Stevens	Stephen Skinner	

Mr Berrien and Mr Hinchman from the House of Assembly presented for the Concurrence of this House a Bill intituled An Act to raise a Fund for defraying Damages done by Dogs in the Counties of Somerset, Hunterdon, Burlington and Gloucester, which was read the first time and Ordered a second Reading.

Mr Fisher, Mr Wetherill, Mr Paxson, Mr Miller and Mr Hart presented for the Concurrence of this House a Bill intituled An Act for the Support of Government of his Majestys Colony of New Jersey, to commence the first day of October One thousand seven hundred and seventy and to end the first day of October One thousand seven hundred and seventy-one, and to discharge the publick Debts and contingent Charges thereof which was read the first time and ordered a Second reading.

Mr Dey and Mr Taylor Brought up from the House of Assembly the Bill intituled An Act to Enable Persons who are his Majesty's Liege Subjects either by Birth or Naturalization to inherit Real Estates &c reingrossed with the Amendment made by the Council thereto, the House of Assembly having agreed to the said Amendment.

Which Re-ingrossed Bill being read and Compared

Ordered, that the Speaker do sign the same

A Message from the House of Assembly by Mr Dey, and Mr Taylor in the Words following.

"Ordered, that Mr Fisher, Mr Wetherill, Mr Berrien Mr "Hart, Mr Hartshorne, Mr Price, Mr Demarest and Mr Tucker "or any three of them be a Committee, to join a Committee "of the Council to settle the Eastern Treasurers Accounts, "and burn the Cancelled Money in his Hands, and make "report to the House, And that Mr Dey and Mr Taylor do "inform the Council thereof, and desire the Council to appoint "a Committee for that purpose together with the time and "place of Meeting"

The Council taking the same into Consideration

Ordered, that Mr Ogden, Lord Stirling and Mr Stevens or any two of them be a Committee to join the Committee of the House of Assembly to settle the Eastern Treasurers Accounts, and burn the Cancelled Money in his Hands and make report thereof to the House, that the said Committees Meet for that purpose on Monday Morning at nine o'Clock in the Council Chamber, And that Mr Parker do acquant the House of Assembly therewith.

The House Continued till Monday

Monday October 22d The House met

Present

The Honble	Peter Kemble	James Parker	Esqrs
Rt Honble	Earl of Stirling	The Chief Justice	
The Honble	John Stevens	Stephen Skinner	

The House continued till to Morrow

Tuesday October 23d The House Met

Present

The Honble	Peter Kemble	James Parker	Esqrs
Rt Honble	Earl of Stirling	The Chief Justice	
The Honble	John Stevens	Stephen Skinner	

The Bill intituled An Act to raise a Fund for defraying Damages done by Dogs &c was read the Second time, and ordered a third reading.

The Bill intituled An Act for the Support of Government &c was read the Second time and ordered a third Reading.

The Bill intituled An Act to naturalize Frederick Outgelt and others, was read the third time, and

On the Question,

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered that Mr Parker do acquaint the House of Assembly therewith.

Mr Parker reported that the had obeyed the foregoing Order of the House.

The Bill intituled an Act to raise a Fund to defray the Damages done by Dogs, in the Counties of Somerset, Hunterdon, Burlington and Gloucester, was read the third time, and

On the Question

Resolved that the same do pass.

Ordered, that the Speaker do sign the same

Mr Parker from the Committee to whom was referred the Bill intituled A Supplementary Act to An Act intituled An Act for the better enabling Creditors to recover their just Debts from Persons who abscond themselves, reported that the said Committee had gone through the said Bill and made sundry Amendments thereto, which he was ready to report when the House would be pleased to receive the same.

Ordered that the said Report be made immediately

Whereupon Mr Parker read the said Amendments in his Place and delivered them in at the Table, and the same being again read, were agreed to by the House and Ordered to be Engrossed.

The Engrossed Amendments to the Bill intituled a Supplementary Act to An Act intituled An Act for the better enabling Creditors to recover their just Debts &c was read the third time with the Amendments in their Places and,

On the Question

Resolved, that the said Bill as Amended do pass.

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered, that Mr Parker do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence to the said Amendments.

Ordered, Also, that Mr Parker acquaint the House of Assembly that the Council have passed the Bill intituled An Act to raise a Fund to Defray the Damages done by Dogs &c without any Amendment.

The House continued till to Morrow

Wednesday October 24th The House met

Present

The Honble	Peter Kemble	James Parker	Esqrs
Rt Honble	Earl of Stirling	The Chief Justice	
The Honble	John Stevens	Stephen Skinner	

Mr Tucker and Mr Price from the House of Assembly presented for the Concurrence of this House a Bill intituled An Act for the more equitable clearing out, amending and repairing the Publick Roads &c in the Counties of Hunterdon &c and

A Bill intituled a Supplementary Act to An Act intituled An Act to settle the Quotas in the several Counties in this Colony for the levying of Taxes.

Which Bills were severally read the first time and Ordered a Second Reading.

Mr Parker reported that he had obeyed the Order of the House of yesterday.

The Bill intituled an Act for the Support of Government of His Majesty's Colony of New Jersey &c was read the third time, and, On the Question

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that Lord Stirling do acquaint the House of Assembly therewith.

The Bill intituled An Act for the more equitable clearing out, Amending and repairing the Publick Roads and Highways in the Counties of Hunterdon, Sussex, Morris and Somerset, was read the Second time, and ordered to lie on the Table.

The Bill intituled A Supplementary Act, to An Act intituled An Act to settle the Quotas &c was read the Second time and committed to the Members of this House or any three of them.

Lord Stirling reported that he had obeyed the Order of the House.

Mr Stevens from the Committee appointed to meet a Committee of the House of Assembly to settle the Eastern Treasurers Accounts, reported that the said Committees had met according to appointment and had settled and stated the Eastern Treasurer's Accounts, and burned the Cancelled Money, which was in the said Treasurer's Hands, which Accounts he was ready to report when the House would be pleased to receive the same.

Ordered, that the said Report be made immediately

Whereupon Mr Stevens read the said Accounts in his place and delivered them in at the Table,

And the same being again read and Considered

On the Question,

The House approved thereof.

Ordered, that the said Accounts be entered at length on the Journals of this House, which are as follow.

Dr Stephen Skinner, Treasurer in Acct Current with Cr the Province of New Jersey.

To Ballance of Acct settled by the Committee 22d November 1769. including the Sum of £6570 „ 9 „ 4 Stolen from the Treasury the 21st July 1768.....	£12917	„ 18	„ 0¼	By Amount of Sundry Vouchers produced indorsed and allowed on Acct of Support of Government and War Fund.....	2845 „ 8 „ 1½
				Ballance due to the Province.....	10,072 „ 9 „ 10¾
					£12,917 „ 18 „ 0¼

Perth Amboy October 22d 1770

By Orders of the Committees
Jn° Stevens
John Berrien

N. B. The Treasurer besides the above Ballance has in his Hands, Bonds, and Mortgages, to the Amount of £4,359 „ 14 „ 11¾ which are Outstanding Debts on Account of the Parliamentary Donation.

Dr Stephen Skinner Esqr Treasurer Sinking Fund Account Cr

1769				1770			
Novr 22. To Bills of Credit cancelled by the Justices & Freeholders of Middlesex, being the Amo't of sinking Fund for 1767, as ℔ Certificates, & Credited in Account then settled.....	5968	„ 9	„ 10	Octor 22. By Sundry Bills of Credit cancelled by the Justices & Freeholders of Middlesex as ℔ their Certificate this day produced, being the amount of the Sinking Fund for the			

To Cash reced from County Collectors being Amount of sinking Fund for 1768		5968 „ 9 „ 10	Year 1767 and 1768, and burned this day by the Committees		11,936 „ 19 „ 8
To the Amount of the Tax for the Eastern Division to compleat sinking Fund for 1769		5968 „ 9 „ 10	By Sundry Bills of Credit cancelled by the Justices & Freeholders of Middlesex, as ℔ their Certificate produced, being in part of the Sinking Fund Tax for 1769, and now Burned.....		1606 „ 17 „ —
			By a Tax outstanding for which the Treasurer is accountable viz[t]		
			In Middlesex 419,, 5,,7		
			In Monmouth 297,,10,,4		716 „ 15 „ 11
			By Ballance remaining in the Treasurers Hands not Cancelled.....		3644 „ 16 „ 11
		£17,905 „ 9 „ 6			£17,905 „ 9 „ 6

October 22[d] 1770. Errors Excepted

Jn° Stevens
John Berrien

The House continued till to morrow

Thursday October 25[th] The House met

Present

The Honble Peter Kemble, James Parker
R[t] Honble Earl of Stirling, The Chief Justice
The Honble John Stevens, Stephen Skinner
} Esq[rs]

The Chief Justice from the Committee to whom was referred the Bill intituled A Supplementary Act to An Act intituled An Act to settle the Quotas in the several Counties

in this Colony for the Levying of Taxes reported that the said Committee had gone through the same and made several Amendments thereto, which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon the Chief Justice read the said Amendments in his Place, and delivered them in at the Table, and the same being again read, were agreed to by the House and Ordered to be engrossed. The Engrossed Amendments to the Bill intituled A Supplementary Act to An Act intituled An Act to settle the Quotas &c were read and compared.

The Bill intituled a Supplementary Act to An Act intituled An Act to settle the Quotas in the several Counties in this Colony for the Levying of Taxes being read the third time with the Amendments in their places.

On the Question,

Resolved, that the same as Amended do pass.

Ordered, that the Speaker do sign the said Bill and Amendments.

Mr Hart and Mr Tucker from the House of Assembly presented for the Concurrence of this House, a Bill intituled An Act for the Relief of Thomas Tindall and James Clark the Younger, and for other purposes therein mentioned, which was read the first time, and ordered a Second reading.

The same Gentlemen also presented the Re-ingrossed Bill intituled a Supplementary Act to an Act intituled an Act for enabling Creditors to recover their just Debts &c and informed the Council that the House of Assembly have agreed to the Amendments thereto made by the Council.

The House Continued till to Morrow

Friday October 26th The House met

Present

The Honble	Peter Kemble	James Parker	Esqrs
Rt Honble	Earl of Stirling	The Chief Justice	
The Honble	John Stevens	Stephen Skinner	

Mr Hartshorne and Mr Demarest from the House of Assembly presented for the Concurrence of this House a Bill intituled a Supplementary Act to an Act intituled An Act subjecting Real Estates in the Province of New Jersey, to the payment of Debts, and directing the Sheriff in his proceedings thereon, which was read the first time, and ordered a Second reading.

The Re-engrossed Bill intituled a Supplementary Act to an Act intituled An Act for the better enabling of Creditors to recover their just Debts from Persons who abscond themselves, with the Amendments made by this House was read and Compared.

Ordered, that the Speaker do sign the same

Ordered, that Mr Skinner do carry the Bill intituled A Supplementary Act to an Act intituled [An Act] to settle the Quotas &c with the Amendments thereto made, to the House of Assembly, and desire their concurrence to the said Amendments

Mr Fisher and Mr Runyan from the House of Assembly presented for the Concurrence of this House a Bill intituled An Act for making a farther Provision of five hundred Pounds for furnishing his Majestys Troops stationed in this Colony with necessaries, and also for defraying Incidental Charges, and for other purposes therein mentioned.

Which was read the first time, and ordered a Second reading.

A Message from the House of Assembly by Mr Hart and Mr Johnston in the Words following.

"Ordered, that Mr Hart and Mr Johnston do carry the "Bill reingrossed with the Councils Amendments intituled a "Supplementary Act to An Act Intituled An Act to settle "the Quotas in the several Counties in this Colony for the "levying of Taxes, and to inform the Council that this "House agrees to their Amendmts

The Re-engrossed Bill with the Amendments of this House being read and compared

Ordered, that the Speaker do sign the same

The Bill intituled An Act for the relief of Thomas Tindall and James Clark the younger, and for other purposes therein mentioned, was read the Second time

Ordered, that the said Bill do lie on the Table

M^r^ Tucker, and M^r^ Dey from the House of Assembly presented for the Concurrence of this House a Bill intituled An Act for Establishing the Boundary or Partition line between the Colonies of New York and New Jersey, and for confirming the Titles and Possessions of certain lands adjacent to or near the said line, which was read the first time, and ordered a Second reading.

The House continued till to Morrow

Saturday October 27^th^ The House met

Present

The Honble	Peter Kemble	James Parker	
R^t^ Honble	Earl of Stirling	The Chief Justice	Esq^rs^
The Honble	John Stevens	Stephen Skinner	

The Bill intituled An Act for establishing the Boundary or Partition line between the Colonies of New York and New Jersey &^c^ was read the Second time, and Committed to the Members of this House or any three of them.

M^r^ Stevens from the Committee to whom was referred the Bill intituled An Act for establishing the Boundary or partition Line between the Colonies of New York and New Jersey &^c^ reported that the said Committee had gone thro' the said Bill and made some Amendments thereto which he was ready to report when the House would be pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon M^r^ Stevens read the said Amendments in his place and delivered them in at the Table And the same being again read were agreed to by the House, and ordered to be engrossed.

The engrossed Amendments to the Bill intituled An Act for establishing the Boundary or partition line between the Colonies of New York and New Jersey &c were read and compared.

The Bill intituled An Act for establishing the Boundary or Partition Line between the Colonies of New York and New Jersey &c was read the third time, with the Amendments in their Places, and

On the Question

Resolved, that the said Bill as Amended do pass.

Ordered that the Speaker do sign the said Bill and Amendments

Ordered, that Mr Stevens do carry the said Bill and Amendments to the House of Assembly, and desire their Concurrence to the said Amendments.

Mr Stevens reported that he had obeyed the Order of the House.

The Bill intituled An Act for making a further Provision of five hundred Pounds for furnishing his Majestys Troops Stationed in this Colony &c was read the Second time, and ordered a third reading.

The Bill intituled a Supplementary Act to An Act intituled An Act subjecting Real Estates in the Province of New Jersey to the payment of Debts, and directing the Sheriff in his proceedings thereon, was read the Second time

A Message from the House of Assembly by Mr Fisher and Mr Tucker in the words following.

"Ordered that Mr Fisher and Mr Tucker do carry back "the Bill intituled An Act for establishing the Boundary or "Partition line between the Colonies of New York and New "Jersey &c to the Council, and inform them that the House "agrees to the first and Second Amendments made by the "Council, and reject the third"

The Council taking the same into Consideration

Resolved, that they do recede from the said third Amendmt

Ordered, that Mr Stevens do acquaint the House of Assembly therewith

Mr Berrien and Mr Dey from the House of Assembly brought up the re-ingrossed Bill intituled An Act for establishing the Boundary or Partition Line Between the Colonies of New York and New Jersey, and for confirming the Titles and Possessions of certain lands adjacent to or near the said Line, with the Amendments agreed to by the Council and House of Assembly which was read and compared,

Ordered, that the Speaker do sign the same

The Bill intituled An Act for making a farther Provision of five hundred Pounds for furnishing his Majesty's Troops stationed in this Colony with necessaries, and also for defraying Incidental Charges, and for other purposes therein mentioned, was read the third time, and On the Question

Resolved, that the same do pass.

Ordered, that Mr Skinner do acquaint the House of Assembly therewith

Mr Skinner reported that he had obeyed the Order of the House.

Mr Fisher and Mr Wetherill from the House of Assembly waited on this House to know whether the Council had any farther Business before them to prevent their applying to his Excellency for dismission.

The Speaker informed them that the Council had no farther Business before them and had no Objection to the House of Assembly applying to his Excellency for a dismission

His Excellency came into y^{e} Council Chamber, and having by the Deputy Secretary commanded the Attendance of the House of Assembly, the Speaker with the House Attended, when his Excellency was pleased to give his Assent to the following Bills.

1 An Act for the Support of Government of His Majesty's Colony of New Jersey, to commence the first day of October One thousand seven hundred and seventy, and to end the first day of October One thousand seven hundred and seventy-one, and to discharge the publick Debts and Contingent Charges thereof.

2 An Act for making a further Provision of five hundred Pounds for furnishing his Majestys Troops stationed in this Colony with necessaries, and also for defraying incidental Charges, and for other purposes therein mentioned.

3 An Act for establishing the Boundary or Partition Line between the Colonies of New York, and New Jersey and for confirming the Titles and Possessions of certain Lands adjacent to or near the said Line.

4 A Supplementary Act to An Act intituled An Act to settle the Quotas in the several Counties in this Colony for the levying of Taxes.

5 An Act continuing An Act entituled an Act for preventing Frauds by Mortgages, which shall be made and executed after the first day of January, One thousand seven hundred and sixty-six.

6 A Supplementary Act to an Act Intituled An Act for the better enabling of Creditors to recover their just Debts from Persons who abscond themselves.

7 An Act to raise a Fund for defraying Damages done by Dogs, in the Counties of Somerset, Hunterdon, Burlington and Gloucester.

8 An Act to regulate the Pasturing the Lands Meadows and Islands in common lying on and adjoining a certain Beach known by the name of Barnegat or Long Beach, and for other purposes therein mentioned

9 An Act to prevent Swine running at large in the Town of Haddonfield in the County of Gloucester

10 An Act to Enable Persons who are his Majestys Liege Subjects, either by Birth or naturalization, to inherit and hold Real Estates notwithstanding the purchase Grant or Devise, were made before Naturalization within this Colony.

11 An Act to naturalize Frederick Outgelt, Leonard Nymaster, Peter Lupp, John Bower, Lawrence Eykeinier, George Obert, Peter Obert and John Irick.

After which His Excellency prorogued the General Assem-

bly to Wednesday the fifth day of December next, then to meet at Burlington

A true Copy
CHA^{s} PETTIT D Clk

[L. S.] A Journal of the Votes and Proceedings of His Majesty's Council of New Jersey, at a Session of the General Assembly of the said Province, begun and holden at the City of Burlington on the 20th day of November 1771

Wednesday November the 20th 1771. The House Met

Present

David Ogden Esq	John Stevens Esq
Charles Read Esq	Samuel Smith Esq

The House Continued till to morrow

Thursday November 21st The House met

Present

David Ogden Esq	Samuel Smith Esq
Charles Read Esq	Daniel Coxe Esq[1]
John Stevens Esq	John Lawrence Esq[1]

His Excellency came into the Council Chamber and having by the Deputy Secretary commanded the Attendance of the House of Assembly, the Speaker with the House Attended, and his Excellency was Pleased to make a Speech to both Houses in the words following.

[1] Mr Coxe was appointed a member of the Council in the room of John Ladd, deceased; and Mr Lawrence in the room of John Smith, deceased. This was their first appearance in the Council, as will hereafter appear in the *Journal of Governor and Council* under date of November 21st, 1771.

Gentlemen of the Council, and Gentlemen of the General Assembly.

This being the Season Judged most convenient for your Attendance on publick Business, I have called you together that you might have an Opportunity of transacting such Matters as may appear to be necessary or Advantageous to the Province.

I shall order to be laid before you His Majesty's Royal Disallowance of two Acts of Assembly, which I lately received. One intituled "An Act to Erect Courts in the several Counties in this Colony for the Trial of Causes of Ten Pounds and under,"[1]

The other "An Act to explain and Amend An Act for the Relief of Insolvent Debtors" &c[2]

Gentlemen of the General Assembly.

The Act for the Support of Government, having expired on the first of October, I must recommend that Matter to your immediate Attention. Such other Business as I have to lay before you shall be Communicated by Message.

Gentlemen of the Council, and Gentlemen of the General Assembly.

Nothing can be more Conducive to the Interest and welfare of the Province than a perfect Harmony between the several Branches of the Legislature.

You may be assured of my Determination to promote every thing which may be likely to have that Tendency and I flatter myself with the Hopes of finding you equally actuated by the same good Disposition.

Council Chamber
November 21st 1771 } Wm Franklin.

After which the Speaker with the House of Assembly withdrew.

The House continued till to morrow

[1] Enacted December 6th, 1769.
[2] Enacted March 27th, 1770.

Friday November 22^{d} The House met

Present

David Ogden Esq	Samuel Smith Esq
Charles Read Esq	Daniel Coxe Esq
John Stevens Esq	John Lawrence Esq.

The House continued till to morrow

Saturday November 23^{d} The House met

Present

David Ogden Esq.	Samuel Smith Esq.
Charles Read Esq.	Stephen Skinner Esq.
John Stevens Esq.	John Lawrence Esq.

M^{r} Skinner and M^{r} Hartshorne from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to repeal An Act passed in the tenth Year of His Majesty's Reign intituled An Act for the Relief of Insolvent Debtors"

Which was read the first time and ordered a Second reading

The House continued till Monday

Monday November 25th The House met

Present

David Ogden Esq	James Parker Esq
Charles Read Esq	Samuel Skinner Esq
John Stevens Esq	Daniel Coxe Esq
Samuel Smith Esq	

His Excellency came into the Council Chamber and having by the Deputy Secretary informed the House of Assembly that he was ready to receive their Address, the Speaker with the House Attended and presented the following Address viz^{t}

To His Excellency William Franklin Esquire Captain General, Governor, and Commander in Chief in and over His Majesty's Colony of Nova Cæsarea or New Jersey, and Territories thereon depending in America, Chancellor and Vice Admiral of the same &c^{a}

The Humble address of the Representatives of the said Colony in General Assembly Convened.

May it please your Excellency

We His Majesty's Dutiful and Loyal Subjects the Representatives of the Colony of New Jersey in General Assembly met, beg leave to return your Excellency our Thanks for calling us together at this Season, the most desired by us to transact the publick Business of the Colony.

The Repeal of the Acts your Excellency has laid before us, particularly that "for Erecting Courts in the Several Counties of this Colony for the Trial of Causes of Ten Pounds and under," gives us very Sensible regret. This Law was calculated for the easy recovery of Small Debts for little Cost, and in the Execution of it in our Opinion during the Short Time it has been permitted to be in force has answered the Ends proposed, and proved Beneficial to the People We Represent, We cannot therefore but Wish that His Majesty's Ministers had advised an Allowance rather than a Repeal of it

As an Honourable Support of Government is necessary for the welfare of the Colony, it shall be an Object of our immediate Attention: And satisfied that nothing can be more conducive to the Interests of the People than Harmony between the several Branches of the Legislature, your Excellency may be assured, that, as We heartily concur with you in Sentiment, We shall endeavour to take every method which may be likely to have that Tendency, and evince to your Excellency that we are equally actuated by the same good Disposition.

By Order of the House

House of Assembly } STEPHEN CRANE Speaker
November 25th 1771 }

After which the Speaker with the House of Assembly withdrew.

The Petition of John Budd praying to be heard in Opposition to a Bill now before the House for Repealing the Insolvent Act, was read, and ordered a Second reading.

The House continued till to morrow

Tuesday November 26th The House met

Present

David Ogden Esq.	James Parker Esq.
Charles Read Esq.	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.

The House continued till to morrow

Wednesday November 27th The House met

Present

David Ogden Esq	James Parker Esq
Charles Read Esq	Richard Stockton Esq
John Stevens Esq	Stephen Skinner Esq
Samuel Smith Esq	Daniel Coxe Esq

Mr Berrien and Mr Hewlings from the House of Assembly delivered a Message in the following words

"House of Assembly November 26th 1771.

"Ordered,

That Mr Leaming, Mr Fisher, Mr Wetherill, Mr Miller, "Mr Hart, Mr Hartshorne, and Mr Price, or any three of "them be a Committee to join a Committee of the Council to "settle the Eastern and Western Treasurers Account and "burn the Cancelled Money in the Hands of the Western "Treasurer, and make Report thereof to the House,

"And that Mr Berrien and Mr Hewlings do inform the

"Council thereof and desire them to appoint a Committee "for that purpose together with the time and place of meet- "ing."

Ordered, that Mr Stevens, Mr Stockton and Mr Coxe, or any two of them be a Committee to join a Committee of the House of Assembly to settle the Eastern and Western Treasurers Accounts and burn the Cancelled Money in the Hands of the Western Treasurer and make Report thereof to the House and that the said Committees do meet at five o'Clock this afternoon at the Houso of Samuel Smith Esq. in Burlington.

Ordered, that Mr Skinner do acquaint the House of Assembly therewith.

Mr Skinner reported that he had obeyed the Order of the House.

Mr Runyan and Mr Dey from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the Regulation of the Rates to be demanded & received at the Ferries on the North and South sides of Rariton River within the Corporation of Perth Amboy."

Which was read the first time and ordered a second reading.

The House continued till to morrow

Thursday November 28th The House met

Present

David Ogden Esq.	James Parker Esq
Charles Read Esq.	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.

Mr Price and Mr Bullock from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Impower the Inhabitants of the Township of

Deptford in the County of Gloucester to repair their publick Highways by hire, and raise Money for that purpose."

Which was read the first time and ordered a Second reading.

The Bill intituled "An Act to Repeal An Act passed in the tenth Year of His Majesty's Reign intituled An Act for the Relief of Insolvent Debtors" was read the second time and On the Question, wether the same shall be read a third time? Resolved, in the Negative

Ordered that the said Bill do lie on the Table.

The Bill intituled "An Act for the Regulation of the Rates to be demanded and received at the Ferries on the North and South sides of Rariton River within the Corporation of Perth Amboy" was read the Second time, and ordered a third reading.

The House continued till to morrow

Friday November 29th The House met

Present

David Ogden Esq.	James Parker Esq.
Charles Read Esq.	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.

Mr Stevens from the Committee appointed to meet a Committee of the House of Assembly to settle the Eastern and Western Treasurers Accounts, and burn the Cancelled Money in the Hands of the Western Treasurer, reported that the said Committees had met according to appointment, that they had settled and stated the accounts of the Western Treasurer and burned the Cancelled Money in the Hands of the Western Treasurer, which Accounts he was ready to report when ever the House would be pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Stevens read the said Accounts in his Place and delivered them in at the Table

And the House having read and Considered the same
On the Question
Resolved, that the House do approve thereof.
Ordered, that the said accounts be entered at Length on the Journals of this House—which Accounts are as follow.

D^r Samual Smith Esq. Treasurer Sinking Fund Account C^r

1769				1770		
Nov. 2 To Ballance reported to the Council and Assembly to this day	2030	8	1	May 9th By Current Bills of Credit Cancelled by the Justices & Freeholders as ℔ their Certificate in May 1770 & burned by the Committees this 29th day of November 1771...	5653	4	9
To the Sinking Fund Tax directed to be raised this Year viz^t				1771			
Burlington.....	1562	14	7⅝	May 8th By Current Bills of Credit Cancelled by the Justices & Freehold^rs as ℔ their Certificate in May 1771 & burned by the Committees the 29th day of Nov^r 1771	7004	8	9
Gloucester.....	977	5	1¼	Ballance.....	2183	17	8
Salem.....	873	3	7¾		£14841	11	2
Cumberland	442	14	7½				
Cape May.....	208	17	2¼				
Hunterdon	1772	3	11½				
Morris & Sussex.....	694	10	11¼				
	6531	10	1				
1770							
Nov^r To the Sinking Fund Tax directed to be raised this Year viz^t							
Burlington.....1339	11	0					
Gloucester..... 953	18	—					
Salem 849	10	—					
Cumberland... 481	13	—					
Cape May..... 208	13	—					
Hunterdon.....1704	16	—					
Sussex..... 741	12	—					
	6279	13	0				
	£14841	11	2				

Errors Excepted November 29th 1771

By Order of the Committees
Jn° Stevens
Aaron Leaming

Dr Samuel Smith Esq. Treasurer Support of Government Cr

1769		1771	
Novr 2d To Ballance reported to the Council and Assembly this day	7214 „ 8 „ 10¾	By Sundry from No 1 to No 205 inclusive all examined allowed and endorsed the 27th of November 1771	6454 „ 2 „ 2½
13th To Cash received of Daniel Smith Executor of Daniel Smith deced on Account of Money drawn for by William Cook & Daniel Smith on behalf of the Province	39 „ 15 „ 0½	By Ballance due to the Province including the Western Moiety of One thousand Pounds which the Treasurers are directed by Act of Assembly of 31st of George the Second to retain in their Hands for the use of the Committee of Correspondence.	828 „ 11 „ 8¾
29 To Cash of James Parker Esquire on Account of the Province Lotteries	28 „ 10 „ —		
	£7282 „ 13 „ 11¼		£7282 „ 13 „ 11¼

Memorandum of Articles minuted here to preserve the Memory of them untill payment is made by the parties from whom they are due.

The following Arrears as reported in 1765 appear to be still outstanding.

In Burlington County an Old Arrear in the Loan Office as ℔ Report in 1753	£18	8	11
Do ... in Do ... as ℔ Do	13	7	2¾
Do in Cape May in 1738	—	4	7¼
	£32	0	9
An Arrear in Burlington as ℔ Report in 1758	1	13	9
Do in Salem Interest Money in 1752	3	0	6
An Arrear outstanding in Salem Loan Office Principal Money which Commenced either in 1745. 1746. or 1747	463	4	—

Deficiency in Hunterdon in £6,000 Tax in
June 1752 as ℔ Report in 1758..... 6 „ 0 „ 0
D° in D° as ℔ D°..... 1 „ 11 „ 9½

Errors Excepted November 29th 1771

By Order of the Committees
Jn° Stevens
Aaron Leaming

The Committees of the Council and Assembly proceeded to examine when the two Deficiences in Salem mentioned in the Report of this Session Commenced, and find that the Deficiency of £3 „ 0 „ 6 was Interest Money and had its rise in 1752 As by the Report in 1753 page 408 of the Assembly Books.

And that by the Report in 1747 Lib. D. 446 it appears that Salem was Deficient on one or both Emissions of Principal that ought to have been sunk £1081 „ 6 „ 6

And by the Report in 1753 they were Deficient £1371 „ 17 „ 0 including the said £1081 „ 6 „ 6 See Lib. E 410. By the Report in 1758 that Deficiency was reduced to £743 „ 18 „ 6 see Lib. F 329.

By the Report November 21st 1760 it appears the said Deficiency was reduced to £463 „ 4 „ 6 see vol. F 421 at which it now remains.

By which it appears that the same Originated in one of the Years 1745, 1746, or 1747, and its uncertain whether on the £20,000, or £40,000, Emissions, those Funds being blended together; And as its said, the Commissioners were the same its immaterial

John Stevens
Aaron Leaming

The Bill intituled "An Act to Impower the Inhabitants of the Township of Deptford in the County of Gloucester to repair their publick Highways by Hire and raise Money for

that purpose" was read the Second time and Committed to the Members of this House or any three of them

The Bill intituled "An Act for the Regulation of the Rates to be demanded and received at the Ferries on the North and South sides of Rariton River within the Corporation of Perth Amboy" was read the third time and On the Question

Resolved, that the said Bill do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Coxe do acquaint the House of Assembly therewith

The House continued till to morrow

Saturday November 30th The House met

Present

David Ogden Esq	James Parker Esq
Charles Read Esq	Richard Stockton Esq
John Stevens Esq	Stephen Skinner Esq
Samuel Smith Esq	Daniel Coxe Esq

Mr Dey and Mr Hand from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Continue and Amend An Act intituled An Act for better settling and regulating the Militia" &c

Also a Bill intituled "An Act to Enable Creditors more easily to recover their Debts from joint Partners within the Colony of New Jersey"

Which Bills were severally read the first time, amd ordered a second reading.

Mr Coxe reported that he had obeyed the Order of the House of Yesterday.

The House continued till Monday

Monday December 2d The House met

Present

Charles Read Esq.	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	

The House continued till to morrow

Tuesday December 3d The House met

Present

Charles Read Esq	Richard Stockton Esq
John Stevens Esq	Stephen Skinner Esq
Samuel Smith Esq	Daniel Coxe Esq
James Parker Esq	

Mr Read from the Committee to whom was referred the Bill intituled "An Act to Impower the Inhabitants of the Township of Deptford in the County of Gloucester to repair their publick Highways by Hire and raise Money for that purpose" reported that the said Committee had gone through the said Bill, and that he was ready to report the same when the House would be pleased to hear the said Report

Ordered, that the said Report be made immediately

Whereupon Mr Read reported that the said Committee had gone through the said Bill without making any Amendment thereto.

The Bill intituled "An Act to Impower the Inhabitants of the Township of Deptford in the County of Gloucester to repair their publick Highways by Hire and raise Money for that Purpose" was read the third time, and

On the Question

Resolved, that the same do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Lawrence do acquaint the House of Assembly therewith.

Mr Lawrence reported that he had obeyed the Order of the House.

The Bill intituled "An Act to Continue and Amend An Act intituled An Act for better settling and regulating the Militia of this Colony of New Jersey for the Repelling Invasions and suppressing Insurrections and Rebellions" was read the Second time and ordered a third reading.

The Bill intituled "An Act to enable Creditors more easily to recover their Debts from joint Partners within the Colony of New Jersey" was read the Second time and ordered a third reading.

Mr Taylor and Mr Demarest from the House of Assembly presented for the Concurrence of this House a Bill intituled "A Supplementary Act to the act intituled An Act for preventing the Waste of Timber" &c which was read the first time and Ordered a Second reading.

Mr Hartshorne and Mr Hinchman from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the preservation of Deer and other Game, and to Prevent Trespassing with guns" which was read the first time and Ordered a Second reading.

The House continued till to morrow

Wednesday December 4th The House met

Present

Charles Read Esq.	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.

The Bill intituled a "Supplementary Act to the Act intituled An Act for preventing the Waste of Timber" &c was read the second time and Committed to the Members of this House or any three of them.

The Bill intituled "An Act for the preservation of Deer and other Game, and to prevent Trespassing with guns" was read the second time and Committed to the Members of this House or any three of them.

The Bill intituled An Act to Continue and Amend An Act intituled An Act for better settling and regulating the Militia of this Colony of New Jersey for the repelling invasions and suppressing Insurrections and Rebellions" was read the third time, and

On the Question

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Parker do acquaint the House of Assembly therewith

Mr Parker reported that he had Obeyed the Order of the House.

The Bill intituled "An Act to enable Creditors the more easily to recover their Debts from joint Partners within the Colony of New Jersey" was read the third time, and

On the Question

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Skinner do acquaint the House of Assembly therewith.

A Message from the House of Assembly by Mr Tucker and Mr Price.

"House of Assembly December 3d 1771.

"Ordered,

That Mr Hewlings, Mr Hart, Mr Bullock, Mr Hinchman and Mr Demarest or any three of them be a Committee to join a Committee of the Council to adjust the late Barrack Masters Accounts, and also the publick Lottery Accounts, And that Mr Tucker and Mr Price do inform the Council thereof, and desire the Council to appoint a Committee for that purpose together with the time and Place of Meeting."

Ordered,

That Mr Parker, Mr Coxe and Mr Lawrence, or any two of them be a Committee to join the Committee of the House of Assembly to adjust the late Barrack Masters Accounts, and the publick Lottery Accounts, and that the said Committees do meet for that purpose at the House of John Shaw in Burlington at nine o'Clock to morrow morning Ordered, that Mr Coxe do acquaint the House of Assembly therewith.

Mr Coxe reported that he had obeyed the foregoing Order of the House

The House continued till to morrow

Thursday December 5th The House met

Present

Charles Read Esq	Richard Stockton Esq
John Stevens Esq	Stephen Skinner Esq
Samuel Smith Esq	Daniel Coxe Esq
James Parker Esq	John Lawrence Esq

Mr Parker from the Committee to whom was referred the Bill intituled "An Act for the preservation of Deer and other Game" &c reported that the said Committee had gone through the same and made Several Amendments thereto which he was ready to report when the House would be pleased to receive the same.

Ordered, that the said Report be made immediately

Whereupon Mr Parker read the said Amendments in his Place and delivered them in at the Table.

And the same being again read were agreed to by the House and ordered to be Engrossed

The Engrossed Amendments to the Bill intituled An Act for the Preservation of Deer &c were read and compared.

The Bill intituled "An Act for the preservation of Deer and other Game, and to prevent Trespassing with Guns" was read the third time with the Amendments in their Places, and

On the Question

Resolved, that the said Bill as Amended do pass

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered, that Mr Lawrence do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence to the said Amendments.

Mr Price and Mr Hartshorne from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to enable the Owners & Possessors of the Meadows lying on the Southerly Branch of Newton Creek commonly called the Fork Creek in the County of Gloucester to repair and maintain a Bank, Dam and Water Works heretofore Erected and made across the said Southerly Branch of Newton Creek, and to keep the Water Course of said Creek open and Clear." Which was read the first time and ordered a Second reading.

Mr Lawrence reported that he had obeyed the Order of the House

The House continued till to morrow

Friday December 6th The House met

Present

Charles Read Esq	Richard Stockton Esq
John Stevens Esq	Stephen Skinner Esq
Samuel Smith Esq	Daniel Coxe Esq
James Parker Esq	John Lawrence Esq

The Bill intituled "An Act to enable the Owners and Possessors of the Meadows lying on the Southerly Branch of Newton Creek commonly called the Fork Creek in the County of Gloucester to repair and maintain a Bank" &c was read the Second time and Committed to the Members of this House or any three of them

Mr Skinner from the Committee to whom was referred the

Bill intituled "An Act to Enable the Owners & Possessors of Meadows lying on the Southerly Branch of Newton Creek commonly called the Fork Creek in the County of Gloucester to repair and maintain a Bank" &c, reported that the said Committee had gone through the said Bill and made several Amendments thereto, which he was ready to report when the House would be pleased to receive the same.

Ordered, that the said Report be made immediately

Whereupon Mr Skinner read the said Amendments in his Place and delivered them in at the Table

And the said Amendments being again read were agreed to by the House and ordered to be engrossed

The Engrossed Amendments to the Bill intituled An Act to Enable the Owners and Possessors of the Meadows lying on the Southerly Branch of Newton Creek" &c were read and Compared

The Bill intituled "An Act to enable the Owners and Possessors of the Meadows lying on the Southerly Branch of Newton Creek commonly called the Fork Creek in the County of Gloucester to repair and maintain a Bank Dam and Water Works heretofore Erected and made across the said Southerly Branch of Newton Creek, and to keep the Water Course of the said Creek open and Clear," was read the third time, with the Amendments in their Places, and

On the Question

Resolved, that the said Bill as Amended do pass.

Ordered, that the Speaker do Sign the said Bill and Amendments.

Ordered, that Mr Skinner do carry the said Bill and Amendments to the House of Assembly and desire the Concurrence to the said Amendments.

Mr Lawrence by Order of the House brought in the Draught of a Bill intituled "An Act to revive and continue two Acts therein mentioned," which was read the first time and ordered a second reading.

Mr Skinner reported that he had Obeyed the Order of the House.

The Bill intituled "Act to revive and continue two Acts therein mentioned" was read a second time and ordered to be engrossed.

The Engrossed Bill intituled "An Act to revive and continue two Acts therein mentioned" was read and compared, and

On the Question

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Parker do carry the said Bill to the House of Assembly for their Concurrence

Mr Smith and Mr ——— from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the Relief of John Budd of Salem," Which was read the first time and ordered a second reading

The House continued till to morrow

Saturday December 7th The House met

Present

Charles Read Esq	Richard Stockton Esq
John Stevens Esq	Stephen Skinner Esq
Samuel Smith Esq	Daniel Coxe Esq
James Parker Esq	John Lawrence Esq

Mr Hewlings and Mr Smith from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on English's Creek in the County of Burlington to Erect and maintain a Bank Dam and other Water Works across the said Creek, in order to prevent the Tide from overflowing the same, and to keep the former Water Course of the said Creek open and clear, and to make the said Dam (when erected) a publick Landing." Which was read the first time and ordered a second reading

The House continued till Monday

Monday December 9th The House met

Present

Charles Read Esq.	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	John Lawrence Esq.
James Parker Esq.	

Mr Tucker and Mr Hartshorne from the House of Assembly brought up the Bill re-ingrossed with the Councils Amendments intituled "An Act for the preservation of Deer and other Game, and to prevent Trespassing with Guns."

Also the Bill re-ingrossed with the Councils Amendmts intituled "An Act to enable the Owners and Possessors of the Meadows lying on the Southerly Branch of Newton Creek, commonly called the Fork Creek in the County of Gloucester, to repair and maintain a Bank Dam and Water Works heretofore Erected and made across the said Southerly Branch of Newton Creek and to keep the Water Course of the said Creek open and Clear" Which said Bills were Severally read and Compared.

Ordered, that the Speaker do sign the said two Bills

Mr Tucker and Mr Hartshorne from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the Relief of Insolvent Debtors."

Which was read the first time and ordered a Second reading

Mr Smith by Order of the House brought in a Bill intituled "An Act declaring the River Delaware a common Highway and for improving the Navigation thereof" Which was read the first time and ordered a second reading.

Mr Lawrence by Order of the House brought in a Bill intituled "An Act to extend the Jurisdiction of the several Counties in this Colony which are divided by Rivers Creeks and Bays" Which was read the first time and ordered a Second reading.

The House continued till to morrow

Tuesday December 10th The House met

Present

Charles Read Esq.	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	John Lawrence Esq.
James Parker Esq.	

The Bill intituled "An Act for the Relief of John Budd of Salem" was read a Second time.

Ordered, that the Proofs set forth in the Petition of the said John Budd be laid before the House.

The House continued till to morrow

Wednesday December 11th The House met

Present

Charles Read Esq.	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq	John Lawrence Esq
James Parker Esq	

Mr Price and Mr Smith from the House of Assembly brought back to this House the Bill intituled "An Act to revive and continue two Acts therein mentioned together with an Amendment made thereto by the House of Assembly, and desired the Concurrence of this House to the said Amendment, Which Amendment was read the first time and Ordered a Second reading.

The House taking into Consideration the Necessity of having an Agent for this Colony in Great Britain.

Resolved, that Doctor Benjamin Franklin be and he is hereby appointed Agent for transacting the affairs of this Colony in Great Britain.

The Proofs set forth in the Petition of John Budd relative to the Bill intituled "An Act for the Relief of John Budd

of Salem" being laid before the House An Amendment was proposed to the said Bill, which Amendment was read the first time and ordered a Second reading

The said Amendment being read a Second time was agreed to by the House.

Ordered, that the said Amendment be engrossed

The Engrossed Amendment to the Bill intituled "An Act for the Relief of John Budd of Salem" was read and compared.

The Bill intituled "An Act for the Relief of John Budd of Salem" was read the third time with the Amendment in its place, and

On the Question

Resolved, that the same as Amended do pass

Ordered, that the Speaker do sign the said Bill and Amendment

Ordered, that M^r Parker do carry the said Bill and Amendment to the House of Assembly and desire their Concurrence to the said Amendment.

The Amendment to the Bill intituled "An Act to revive and continue two Acts therein mentioned" was read the Second time and agreed to by the House.

Ordered that the said Bill be re-ingrossed

The House continued till to morrow

Thursday December 12^th The House met

Present

Charles Read Esq	Stephen Skinner Esq.
John Stevens Esq	Daniel Coxe Esq
Samuel Smith Esq	John Lawrence Esq
James Parker Esq	

M^r Parker with the leave of the House brought in the Draught of a Bill intituled "A Supplementary Act to the Act intituled An Act for appointing Commissioners to View the Ground, and report to the next Sessions of General Assem-

bly of the practicability of laying out straight Roads through certain parts of the Province of New Jersey, and for establishing a Fund to defray the Expence of the same," Which was read the first time and ordered a second reading.

Mr Hart and Mr Hinchman from the House of Assembly presented for the Concurrence of this House a Bill intituled "A Supplementary Act to the Act intituled An Act to enable the Owners of the Meadows and Marshes belonging to the Town of Salem to keep out the Tide from overflowing the same," Which was read the first time and ordered a second reading.

The Bill intituled "A Supplementary Act to the Act intituled An Act for appointing Commissioners to view the ground and report to the next Session of General Assembly of the practicability of laying out Straight Roads" &c was read the second time and ordered to be engrossed.

The Bill intituled "An Act to extend the Jurisdiction of the several Counties in this Colony which are divided by Rivers Creeks and Bays," was read the second time and ordered to be engrossed.

The Engrossed Bill intituled "A Supplementary Act to the Act intituled An Act for appointing Commissioners to View the ground and report to the next Session of General Assembly of the practicability of laying out straight Roads through certain parts of the Province of New Jersey, and for establishing a Fund to defray the expence of the same, was read the third time and

On the Question

Resolved, that the same do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Lawrence do carry the said Bill to the House of Assembly for their Concurrence

Mr Lawrence reported that he had obeyed the Order of the House.

The Engrossed Bill intituled "An Act to extend the Jur-

isdiction of the several Counties in this Colony which are divided by Rivers, Creeks and Bays" was read the third time, and

On the Question

Resolved, that the same do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Coxe do carry the said Bill to the House of Assembly for their Concurrence.

The Bill intituled "An Act for the Relief of Insolvent Debtors" was read the second time, and committed to the members of the Council or any three of them.

Mr Coxe reported that he had obeyed the Order of the House.

The House continued till to morrow

Friday December 13th The House met

Present

Charles Read Esq.	Stephen Skinner Esq
John Stevens Esq	Daniel Coxe Esq
Samuel Smith Esq	John Lawrence Esq
James Parker Esq	

A Petition from Thomas Atkinson and twenty six others setting forth the good Character snd distressed circumstances of Martin Ryerson, and praying that the said Martin Ryerson may be relieved by an act of the Legislature, was read.

Mr Tucker and Mr Price from the House of Assembly brought up the Bill re-ingrossed with the Amendments of the Council intituled "An Act for the Relief of John Budd of Salem" which was read and compared.

Ordered, that the Speaker do sign the same

The Bill intituled "An Act to enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on English's Creek in the County of Burlington to Erect and maintain a Bank Dam and other Water Works across the said Creek" &c, was read the Second time and ordered a third reading.

Mr Tucker and Mr Price from the House of Assembly presented for the Concurrence of this House, three Bills intituled as follows vizt

"An Act declaring the River Delaware a common highway and for improving the Navigation in the said River."

"An Act to enable the Owners and Possessors of the Meadows and Marshes lying on both sides of Assiscunk Creek in the County of Burlington to stop out the Tide from overflowing the same," and

"An Act to impower and require the Justices and Freeholders of the Counties of Hunterdon and Sussex to raise the Sum of fifty Pounds on each County to be applied towards Erecting a Bridge across Musconetcong Creek near Robert Johnsons Mills."

Which three Bills were severally read the first time and ordered a second reading.

The Bill reingrossed with the Amendments made thereto by the House of Assembly intituled "An Act to revive and continue two Acts therein mentioned" being read & compared

Ordered, that the Speaker do sign the same

Ordered that Mr Parker do carry the said re-ingrossed Bill to the House of Assembly.

The Bill reingrossed with the Amendments of the Council made thereto intituled "An Act for the Relief of John Budd of Salem," having been read and compared

Ordered, that the Speaker do sign the same

The Bill intituled "An Act declaring the River Delaware a common Highway, and for improving the Navigation in the said River," was read the second time and ordered a third reading.

The Bill intituled "An Act to Enable the Owners and Possessors of the Meadows and Marshes lying on both sides of Assiscunk Creek in the County of Burlington to stop out the Tide from overflowing the same" was read the second time and committed to the Members of this House or any three of them.

The Bill intituled "An Act to impower and require the Justices and Freeholders of the Counties of Hunterdon and Sussex to raise the sum of fifty Pounds on each County to be applied towards the Erecting a Bridge across Musconetcong Creek near Robert Johnstons Mills" was read the second time, and committed to the Members of the Council or any three of them.

The Bill intituled "A Supplementary Act to the Act intituled An Act to Enable the Owners of the Meadows and Marshes belonging to the Town of Salem" &c, was read the Second time and ordered a third reading

The House continued till to morrow

Saturday December 14th The House met

Present

Charles Read Esq	Stephen Skinner Esq
John Stevens Esq	Daniel Coxe Esq
Samuel Smith Esq	John Lawrence Esq
James Parker Esq	

The Bill intituled "A Supplementary Act to the Act intituled An Act to Enable the Owners of the Meadows and Marshes belongg to the Town of Salem to keep out the Tide from overflowing the same" was read the third time, and

On the Question

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Lawrence do acquaint the House of Assembly therewith.

The Bill intituled "An Act to Enable Sundry of the Owners and Possessors of Meadows and Tide Marsh lying on English's Creek in the County of Burlington, to Erect and maintain a Bank Dam and other Water Works across the said Creek in order to prevent the Tide from overflowing the same, and to keep the former Water Course of the said

Creek open & clear and to make the said Dam (when erected) a Publick Landing" was read the third time, and

On the Question

Resolved, that the same do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Lawrence do acquaint the House of Assembly therewith

Mr Parker from the Committee to whom was referred the Bill intituled "An Act to impower and require the Justices and Freeholders of the Counties of Hunterdon and Sussex to raise the sum of fifty Pounds in each County," &c, reported that the said Committee had gone through the same & made several Amendments thereto, which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately

Whereupon Mr Parker. read the said Amendments in his Place and delivered them in at the Table. And the same being again read were agreed to by the House and ordered to be engrossed.

The engrossed Amendments being read and compared

The Bill intituled "An Act to impower and require the Justices and Freeholders of the Counties of Hunterdon and Sussex to raise the Sum of Fifty Pounds on each County to be applied towards Erecting a Bridge across Musconetcong Creek near Robert Johnsons Mills" was read the third time with the Amendments in their Places, and

On the Question

Resolved, that the same as Amended do pass.

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered, that Mr Lawrence do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence to the said Amendments.

Mr Lawrence reported that he had Obeyed the foregoing Orders of the House.

Mr Hinchman and Mr Hart from the House of Assembly

brought back the Bill re-ingrossed with the Amendments of the House of Assembly thereto made signed by the Speaker of that House, intituled "An Act to revive and continue two Acts therein mentioned."

Mr Hinchman and Mr Tucker from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the more effectual maintaining and Keeping above the flow of the Tide that part of the Road or Highway between the Toll Bridge on Newton Creek, and the fast Land of Kesiah Tonkin" which was read the first time and ordered a second reading.

Mr Hart & Mr Taylor from the House of Assembly brought back the Bill passed by that House and signed by their Speaker, intituled "An Act to extend the Jurisdiction of the several Counties" &c.

Mr Price and Mr Hartshorne from the House of Assembly brought back from thence the Bill intituled "An Act to impower and require the Justices and Freeholders of the Counties of Hunterdon and Sussex" &c with the Amendments made thereto by the Council, and acquainted the House, that the House of Assembly do disagree to the said Amendments and adhere to the Bill.

The House continued till Monday

Monday December 16th The House met

Present

Charles Read Esq	Stephen Skinner Esq
John Stevens Esq	Daniel Coxe Esq
Samuel Smith Esq	John Lawrence Esq
James Parker Esq	

The Bill intituled "An Act declaring the River Delaware a common Highway, and for improving the Navigation of the said River" was read the third time, and

On the Question

Resolved, that the same do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Skinner do acquaint the House of Assembly therewith.

The Bill intituled "An Act for the more effectual maintaining and keeping above the Flow of the Tide that part of the Road or Causeway between the Toll Bridge on Newton Creek, and the fast Land of Kesiah Tonkin" was read the second time and ordered a third reading.

The Council having taken into Consideration the Message from the House of Assembly of Saturday last, relative to the amendments made by this House to the Bill intituled "An Act to impower and require the Justices and Freeholders of the Counties of Hunterdon and Sussex to raise the Sum of Fifty Pounds on each County to be applied towards the Erecting a Bridge across Musconetcong Creek near Robert Johnsons Mills."

Resolved unanimously that this House do adhere to the said Amendments

Ordered, that Mr Skinner do acquaint the House of Assembly therewith.

The Petition of Samuel Allinson Esq setting forth sundry Objections against the Bill intituled "An Act to Enable the Owners and Possessors of Meadows and Marshes on Assisconk Creek to stop out the Tide" &c and praying that the said Bill may not pass into a Law, was read.

Ordered, that Notice be given to Samuel Allinson Esquire, William Hewlings Esq. Messrs Arent Schuyler and William White, that the Committee to whom the said Bill is referred will proceed thereon at three o'clock this Afternoon in the Council Chamber.

Mr Fisher and Mr Tucker from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to impower certain Persons therein named to raise a Sum of Money by Subscription, or by Taxation to rebuild and Keep in repair the Bridge over Rariton River near Bound Brook known by the name of Queens Bridge."

Which was read the first time, and ordered a second reading

Mr Leaming Mr Wetherill, Mr Miller and Mr Paxson from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the Support of Government of His Majesty's Colony of New Jersey to Commence the first day of October One thousand seven hundred and seventy one, and to end the first day of October one thousand seven hundred and seventy two, and to discharge the publick Debts and Contingent Charges thereof," Which was read the first time and ordered a second reading.

Mr Runyman and Mr Taylor from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to rebuild and hereafter to repair and Amend the Bridge over Stony Brook near Worth's Mills," Which was read the first time and ordered a Second Reading.

The Bill intituled "An Act to impower certain Persons therein named to raise a Sum of Money by Subscription or by Taxation to rebuild and Keep in repair the Bridge over Rariton River near Bound Brook," &c, was read the second time and ordered a third reading.

Mr Skinner reported that he had obeyed the two orders of the House of this morning.

The House continued till to morrow

Tuesday December 17th The House met

Present

Charles Read Esq	Stephen Skinner Esq
John Stevens Esq	Daniel Coxe Esq
Samuel Smith Esq	John Lawrence Esq
James Parker Esq	

Mr Skinner and Mr Hart from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the Relief of Thomas Tindall and James Clark the Younger, and for other purposes therein mentioned."

Which was read the first time and ordered a second reading.

Mr Hart and Mr Hinchman from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Enable the Justices and Freeholders of the County of Hunterdon to raise the Sum of fifty Pounds, and the Justices and Freeholders of the County of Sussex to raise the like Sum of Fifty Pounds to be applied towards compleating a Bridge across Musconetcong Creek near Robert Johnsons Mills," Which was read the first time and ordered a second reading.

The Bill intituled "An Act for the Support of Government" &c was read the second time and ordered a third reading.

Mr Skinner from the Committee to whom was referred the Bill intituled "An Act for the Relief of Insolvent Debtors" reported that the said Committee had gone through the said Bill, and made several Amendments thereto, which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately

Whereupon Mr Skinner read the said Amendments in his Place, and delivered them in at the Table.

And the said Amendments being again read were agreed to by the House and ordered to be engrossed

The House continued till to morrow

Wednesday December 18th The House met

Present

Charles Read Esq	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	John Lawrence Esq.
James Parker Esq.	

The Bill intituled "An Act for the Support of Government of His Majesty's Colony of New Jersey to Commence the first day of October One thousand seven hundred and

seventy one, And to end the first day of October One thousand seven hundred and seventy two, and to discharge the publick Debts and Contingent Charges thereof," was read the third time, and

On the Question

Resolved, that the same do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Parker do acquaint the House of Assembly therewith.

Mr Price and Mr Hand from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to enforce the payment of several Old Arrears due to the Treasury of New Jersey," which was read the first time and ordered a second reading.

The Engrossed Amendments to the Bill intituled "An Act for the Relief of Insolvent Debtors" being read and compared.

The said Bill was read the third time with the Amendments in their Places, and

On the Question,

Resolved, that the said Bill as Amended do pass.

Ordered, that the speaker do sign the said Bill and Amendments.

Ordered, that Mr Skinner do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence to the said Amendments.

The Bill intituled "An Act to Enable and Direct the Justices and Freeholders of the County of Hunterdon to raise the Sum of Fifty Pounds" &c was read the second time and ordered a third reading

The Bill intituled "An Act for the Relief of Thomas Tindal and James Clark" &c, was read the second time, and ordered a third reading.

The Bill intituled "An Act to Rebuild and hereafter to repair and Amend the Bridges over Stony Brook near Worth's Mill," was read the Second time and ordered a third reading.

The Bill intituled "An Act for the more effectual maintaining and keeping above the flow of the Tide that part of the Road or Causeway between the Toll Bridge over Newton Creek and the Fast Land of Kesiah Tonkin," was read the third time, and

On the Question

Resolved, that the same do pass

Ordered, that the Speaker do sign the same

The Bill intituled "An Act to impower certain Persons therein named to raise a Sum of Money by Subscription or by Taxation to rebuild and keep in repair the Bridge over Rariton River near Bound Brook known by the name of Queens Bridge," was read the third time, and

On the Question,

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Mr Parker reported that he had Obeyed the Order of the House of this morning.

The Bill intituled "An Act to rebuild and hereafter to repair and Amend the Bridge over Stony Brook near Worths Mill," was read the third time, and

On the Question

Resolved, that the said Bill do pass.

Ordered, that the Speaker do Sign the Same

The Bill intituled "An Act to enable and direct the Justices and Freeholders of the County of Hunterdon to raise the Sum of fifty Pounds; And the Justices and Freeholders of the County of Sussex to raise the like Sum of Fifty Pounds to be applied towards compleating a Bridge across Musconetcong Creek near Robert Johnsons Mill" was read the third time, and On the Question

Resolved, that the said Bill do pass

Ordered, that the Speaker do sign the Same

The Bill intituled "An Act for the Relief of Thomas Tindall and James Clark the Younger, and for other purposes therein mentioned," was read the third time, and

On the Question

Resolved, that the said Bill do pass

Ordered, that the Speaker do Sign the Same

Ordered, that Mr Coxe do acquaint the House of Assembly that the Council have passed the five last mentioned Bills without any Amendment

Mr Leaming and Mr Paxson from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to grant further allowance to the several Sheriffs of this Colony for the Subsistance of Prisoners" &c, which was read the first time and ordered a second reading.

Mr Coxe reported that he had obeyed the Order of the House.

The Bill intituled "An Act to enforce the payment of several old Arrears due to the Treasury of New Jersey" was read the Second time and ordered a third reading.

A Message from the House of Assembly by Mr Hart and Mr Hinchman in the following words.

"Ordered, that Mr Hart and Mr Hinchman do carry back "to the Council the Bill intituled "An Act for the relief of "Insolvent Debtors" with the Amendments, and inform them "that this House agree to all the Amendments except the 2d "5th 11th 41st 42d & 43rd and as touching these Amendmts "that the House desire a free Conferrence with the Council "thereupon and that Mr Wetherill, Mr Fisher, Mr Berrien, "Mr Skinner, Mr Leaming, Mr Hartshorne, Mr Tucker, and "Mr Paxson are appointed a Committee on the part of this "House to Confer with a Committee of the Council, and desire "that they will appoint a Committee of their House and the "time and place of Conferrence."

The Council having taken the said Message into Consideration.

Ordered, that Mr Stevens, Mr Parker, Mr Skinner and Mr Coxe be a Committee to meet a Committee of the House of Assembly in a free Conferrence on the Amendmts made by this House to the Bill intituled "An Act for the Relief of

Insolvent Debtors," and that the said Committees do meet at the House of John Shaw in Burlington at seven o'clock this Evening for that purpose.

Ordered that Mr Lawrence do acquaint the House of Assembly therewith

The House continued till to morrow

Thursday December 19th The House met

Present

Charles Read Esq	Stephen Skinner Esq
John Stevens Esq	Daniel Coxe Esq
Samuel Smith Esq	John Lawrence Esq
James Parker Esq	

Mr Stevens from the Committee appointed to meet a Committee of the House of Assembly in a free Conferrence on the Amendments to the Bill intituled "An Act for the Relief of Insolvent Debtors," reported that the said Committees had met according to Order, and had agreed upon several Amendments to be made to the said Bill which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately

Whereupon Mr Stevens read the said Amendments in his Place and delivered them in at the Table.

And the same being again read were agreed to by the House and ordered to be engrossed.

The Engrossed Amendments agreed upon by the said Committees to the Amendments made by this House to the Bill intituled "An Act for the Relief of Insolvent Debtors" was read and Compared

Ordered, that the Speaker do sign the same

Ordered, that Mr Skinner do carry the Bill intituled "An Act for the Relief of Insolvent Debtors to the House of Assembly, together with the Amendments to the said Bill

proposed by the Committees of both Houses in a free Conferrence and agreed to by this House.

Mr Skinner reported that he had obeyed the Order of the House.

Mr Tucker and Mr Price from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Enable the Proprietors and Possessors of the Meadows lying on Pinch Ditch, Black Brook and part of Whiponong[1] River in the County of Morris, to clear, deepen, and dig Ditches for the more effectual draining the said Meadows and Swamps, and for other purposes therein mentioned," which was read the first time and ordered a second reading.

The Bill intituled "An Act to enforce the Payment of several old Arrears due to the Treasury of New Jersey" was read the third time, and

On the Question

Resolved, that the same do pass.

Ordered that the Speaker do sign the same

Ordered, that Mr Lawrence do acquaint the House of Assembly therewith.

The Bill intituled "An Act to grant a further allowance to the sheriffs of this Colony for the Subsistence of Prisoners" &c, was read the second time and ordered a third reading.

The House continued till to morrow

Friday December 20th The House met

Present

Charles Read Esq	Stephen Skinner Esq
John Stevens Esq	Daniel Coxe Esq
Samuel Smith Esq	John Lawrence Esq
James Parker Esq	

[1] Whippany.

The Bill intituled "An Act to Enable the Proprietors and Possessors of the Meadows lying on Pinch Ditch" &c, was read the Second time and ordered a third reading.

The Bill intituled "An Act to grant a further allowance to the several Sheriffs of this Colony for the Subsistance of Prisoners," &c, was read the third time, and

On the Question.

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Lawrence do acquaint the House of Assembly therewith.

The Bill intituled "An Act to enable the Proprietors and Possessors of the Meadows and Swamps lying on Pinch Ditch, Black Brook, and part of Whiponong River in the County of Morris, to clear, deepen, and dig Ditches for the more effectual draining the said Meadows and Swamps, and for other Purposes therein mentioned," was read the third time, and

On the Question

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, Mr Lawrence do acquaint the House of Assembly therewith.

Mr Lawrence reported that he had obeyed the Orders of the House

Mr Skinner and Mr Price from the House of Assembly brought up the Bill reingrossed with the Amendments agreed upon by both Houses, intituled "An Act for the Relief of Insolvent Debtors," which was read and compared

Ordered, that the Speaker do sign the same

Mr Skinner and Mr Price from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the Speedy recovering of Debts from six Pounds to ten Pounds in the Inferior Courts of Common Pleas of this Colony for small Fees," Which was read the first time and ordered a second reading.

Mr Berrien and Mr Smith from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for defraying Incidental Charges," which was read the first time and ordered a second reading.

A Message from the House of Assembly by Mr Tucker & Mr Dey in the words following.

"Mrs Hannah DeCow Daughter in Law of Isaac DeCow "Esq. deceased one of the Signers of the Bills of Credit "dated March 25th 1737, by Abraham Hewlings and Henry "Paxson Esqrs laid before this House a Bundle of Bills, "some of them dated March 25th 1737, and signed by Isaac "DeCow only."

"Ordered, that Mr Leaming, Mr Fisher, Mr Paxson and "Mr Price be a Committee to join a Committee of the Council "to Inspect and Count the same, and inquire into the Cir- "cumstances thereof, and the uses they were printed for, and "if they find Cause, to burn the same and report their pro- "ceedings thereon to the House. That Mr Tucker and Mr "Dey do inform the Council thereof and desire them to "appoint a Committee for that purpose, and the time and "place of meeting."

The House having taken the same into Consideration

Ordered, that Mr Stevens and Mr Parker be a Committee to join a Committee of the House of Assembly to inspect and Count certain Bills of Credit laid before the House of Assembly by Mr Hewlings and Mr Paxson, and inquire into the Circumstances thereof, and the uses they were printed for, and if they find Cause to burn the same, and report their proceedings thereon to the House.

Ordered, that the said Committees do meet for the Purposes aforesaid at the House of John Shaw in Burlington at Seven o'clock this Evening.

Ordered, that Mr Skinner do acquaint the House of Assembly therewith

Mr Skinner reported that he had Obeyed the Order of the House

The House continued till to morrow

Saturday December 21st The House met

Present

Charles Read Esq	Samuel Skinner Esq
John Stevens Esq	Daniel Coxe Esq
Samuel Smith Esq	John Lawrence Esq
James Parker Esq	

Mr Stevens from the Committee appointed to meet a Committee of the House of Assembly to inspect & Count certain Bills of Credit laid before the House of Assembly by Mr Hewlings and Mr Paxson, and to inquire into the Circumstances thereof, and the Uses they were printed for, and if they find Cause, to burn the same, and report their proceedings thereon to the House, reported that the said Committees had met according to Order, and had burned a certain Quantity of Bills of Credit which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said report be made immediately.

Whereupon, Mr Stevens read a written Report of the same in his place, and delivered it in at the Table. And the same being again read, was approved of by the House, and ordered to be entered on the Minutes as follows.

The Committees of the Council and Assembly appointed to Inspect the Bills of Credit laid before the House of Assembly by Mrs Hannah DeCow proceeded to examine the said Bills and find them all dated March 25th 1737, some of them being signed by Isaac DeCow Esq only, and the residue not signed Upon inspecting the last £40,000 Act do find there was order'd to be printed £10,000 for exchanging ragged and torn Bills; and by the 32d Section thereof one half part was to be lodged in the Hands of one of the Signers in the Western Division (not being Treasurer) by him to be signed occasionally; of which the Committees have good reason to believe the aforesaid Bills are part; And therefore the Com-

mittees caused them to be burned according to Law, their Account being as follows.

1 Bill		£6 „ 0 „ 0
1 d°		3 „ — „ —
88 d°	30/each	132 „ — „ —
208 d°	15/	156 „ — „ —
214 d°	12/	128 „ 8 „ —
219 d°	6/	65 „ 14 „ —
230 d°	3/	34 „ 10 „ —
334 d°	1/6	25 „ 1 „ —
354 d°	1/	17 „ 14 „ —
		£568 „ 7 „ —

December 20th 1771.

By Order of the Committees

Jn° Stevens

Aaron Leaming

The Bill intituled "An Act for defraying Incidental Charges" was read the second time and ordered a third reading.

The Bill intituled "An Act for defraying Incidental Charges" was read the third time, and

On the Question

Resolved, that the said Bill do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Lawrence do acquaint the House of Assembly therewith.

Mr Lawrence reported that he had obeyed the Order of the House.

The Bill intituled "An Act for the Speedy recovering of Debts from six Pounds to ten Pounds in the Inferior Courts of Common Pleas" &c, was read the second time and ordered a third reading.

The Bill intituled "An Act for the Speedy recovering of Debts from six Pounds to ten Pounds in the Courts of

Common Pleas of this Colony for small Fees" was read the third time, and

On the Question,

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Coxe do acquaint the House of Assembly therewith.

Mr Coxe reported that he had Obeyed the Order of the House.

Mr Berrien and Mr Smith from the House of Assembly informed the Speaker that the House of Assembly had no further Business before them, and desired to know wether the Council had any objection to their applying to his Excellency for a dismission.

To which the Speaker Answered that the Council had no Objection to their applying for a dismission.

His Excellency came into the Council Chamber and having by the Deputy Secretary Ordered the House of Assembly to attend, the Speaker with the House attended and his Excellency was pleased to give his Assent to the following Bills, Enacting the same and ordering them to be Enrolled, vizt

1 An Act for the Support of Government of His Majesty's Colony of New Jersey, to Commence the first day of October one thousand seven hundred and seventy one, And to end the first day of October one thousand seven hundred and seventy two, and to discharge the publick Debts and Contingent Charges thereof

2 An Act to Continue and Amend An Act intituled An Act for better settling and regulating the Militia of this Colony of New Jersey for the repelling Invasions, and Suppressing Insurrections and Rebellions.

3 An Act for defraying Incidental Charges.

4 An Act for the Speedy recovering of Debts from six Pounds to ten Pounds in the Inferior Courts of Common Pleas of this Colony for small Fees.

5 An Act to enforce the Payment of old Arrears due to the Treasury of New Jersey.

6 An Act for the preservation of Deer and other Game, and to prevent Trespassing with Guns.

7 An Act declaring the River Delaware a Common Highway, and for Improving the Navigation in the said River.

8 An Act to revive and continue two Acts therein mentioned.

9 An Act to Enable Creditors more easily to recover their Debts from Joint Partners within the Colony of New Jersey.

10 An Act to grant further allowance to the several Sheriffs of this Colony for the Subsistance of Prisoners confined for Felony and other Crimes.

11 A Supplementary Act to the Act intituled An Act for preventing the Waste of Timber, Pine and Cedar Trees and Poles within this Province of New Jersey, and to lay a Duty upon Pipe and Hogshead Staves exported out of the same to any of the Neighbouring Colonies.

12. An Act to enable and direct the Justices and Freeholders of the County of Hunterdon to raise the Sum of Fifty Pounds, and the Justices and Freeholders of the County of Sussex, to raise the like Sum of Fifty Pounds to be applied towards Compleating a Bridge across Musconetcong Creek near Robert Johnsons Mills.

13 An Act to Rebuild and hereafter to repair and Amend the Bridge over Stony Brook near Worth's Mill.

14 An Act to extend the Jurisdiction of the several Counties in this Colony which are divided by Rivers Creeks and Bays.

15 An Act for the Relief of Insolvent Debtors

16 An Act for the Regulation of the Rates to be demanded and received at the Ferries on the North and South Sides of Rariton River within the Corporation of Perth Amboy.

17 An Act to Impower the Inhabitants of the Township of Deptford in the County of Gloucester to repair their publick Highways by Hire, and raise Money for that purpose.

18 An Act to Enable the Owners and Possessors of the

Meadows lying on the Southerly Branch of Newton Creek commonly called the Fork Creek in the County of Gloucester to repair and maintain a Bank, Dam and Water Works heretofore Erected and made across the said Southerly Branch of Newton Creek, and to keep the Water Course of the said Creek open and Clear.

19 An Act to Enable the Proprietors and Possessors of the Meadows and Swamps lying on Pinch Ditch, Black Brook, and part of Whiponong River in the County of Morris, to clear, deepen, and dig Ditches for the more effectual draining the said Meadows and Swamps, and for other purposes therein mentioned

20 An Act for the more effectual maintaining and keeping above the Flow of the Tide that part of the Road or Causeway between the Toll Bridge over Newton Creek and the Fast Land of Keziah Tonkin.

21 A Supplementary Act to the Act intituled An Act to Enable the Owners of the Meadows and Marshes belonging to the Town of Salem, to keep out the Tide from overflowing the same

22 An Act to Enable Sundry of the Owners and Possessors of Meadows and Tide Marsh lying on English's Creek in the County of Burlington, to Erect and maintain a Bank Dam and other Water Works across the said Creek in Order to prevent the Tide from everflowing the same, and to keep the former Water Course of said Creek open and Clear, and to make the said Dam (when Erected) a Publick Landing.

23 An Act for the Relief of Thomas Tindall and James Clark the Younger, and for other purposes therein mentioned.

24 An Act for the Relief of John Budd of Salem.

25 An Act to Impower certain Persons therein named to raise a Sum of Money by Subscription or by Taxation to rebuild and keep in repair the Bridge over Rariton River near bound Brook, known by the Name of Queens Bridge.

After which His Excellency was pleased to make a Speech

to the House of Assembly, And then prorogued them to the eighth day of January next, then to meet at Perth Amboy.

A true Copy
CHA PETTIT D Clk

[L. S.] At a Council held at Burlington on the 20th Day of October 1771.

Present
His Excellency the Governor

Samuel Smith Esq.
James Parker Esq.
Stephen Skinner Esq.

His Excellency was pleased to inform the Board that he thought it necessary to call a Meeting of the General Assembly, and to ask the Advice of the Council what Time it would be proper to appoint for the said Meeting Whereupon the Council advised His Excellency to appoint Wednesday the 20th of November next for the said Meeting at Burlington, and His Excellency was thereupon pleased to Order Notice to be given to the Members of His Majesty's Council and of the General Assembly accordingly.

At a Council held at Burlington on Thursday the 21st of November 1771.

Present
His Excellency the Governor.

David Ogden Esq.
Charles Read Esq.
John Stevens Esq.
Samuel Smith Esq.

His Excellency being informed that Daniel Coxe and John Lawrence Esqrs were waiting at the Door, His Excellency

was pleased to Order that they should be admitted, when the said Daniel Coxe presented to His Excellency His Majesty's Mandamus under the Royal Sign Manual dated the fourth day of May last, expressing His Majesty's Royal Pleasure that the said Daniel Coxe should be forthwith sworn and admitted to be of His Majesty's Council for the Province of New Jersey in the Room of John Ladd Esq. deceased.

And the said John Lawrence in like manner presented to His Excellency His Majesty's Mandamus under the Royal Sign Manual dated the nineteenth day of July last, expressing His Majesty's Royal Pleasure that the said John Lawrence should be forthwith Sworn and admitted to be of His Majesty's Council for the Province of New Jersey in the room of John Smith Esq. deceased, Which Mandamus's were severally read in the Words following Viz^{t}

George R.

Mandamus to Admit Dan Coxe Esq.

Trusty and well beloved We greet you well, We being well satisfied of the Loyalty Integrity and Ability of our Trusty and welbeloved Daniel Coxe Esquire have thought fit hereby to signify Our Will and Pleasure to you, that forthwith upon receipt hereof you Swear and admit him the said Daniel Coxe to be of our Council in our Province of New Jersey in America in the Room of John Ladd Esq. deceased; And for so doing this shall be your Warrant: And so We bid you farewell. Given at our Court at S^{t} James's the fourth day of May 1771, in the Eleventh Year of our Reign.

By His Majesty's Command

HILLSBOROUGH.

Superscribed,

To our Trusty and welbeloved William Franklin Esq. Our Captain General and Governor in Chief in and over our Province of Nova Cæsarea, or New Jersey in America, And in his Absence to the President of our Council, or the Commander in Chief of our said Province for the time being.

George R.

Mandamus to Admit Jn° Lawrence Esq^r

Trusty and welbeloved We greet you well, We being well satisfied of the Loyalty Integrity and Ability of our Trusty and well-beloved John Lawrence Esq. have thought fit hereby to signify Our Will and Pleasure to you, that forthwith upon receipt hereof, you swear and admit him the said John Lawrence to be of our Council in our Province of New Jersey in America in the room of John Smith Esq. deceased and for so doing this shall be your Warrant, And so We bid you farewell. Given at our Court at S^t James's the nineteenth day of July 1771, in the Eleventh Year of our Reign

By His Majesty's Command

HILLSBOROUGH

Superscribed

To our Trusty and welbeloved William Franklin Esq. Our Captain General and Governor in Chief in and over our Province of Nova Cæsarea or New Jersey in America and in his Absence to the President of our Council, or the Commander in Chief of our said Province for the time being.

Whereupon the said Daniel Coxe and the said John Lawrence took the usual Oaths to Government, and made and subscribed the Declaration according to Law, and severally took the Oath of a Counsellor, and the said Daniel Coxe and John Lawrence were admitted to take their Seats at the Board.

His Excellency was pleased to communicate to the Board His Majesty's Royal disallowance of two Acts of Assembly of this Province, One of which Acts was in November 1769 intituled "An Act to Erect Courts in the several Counties in "this Colony for the Trial of Causes of Ten pounds and "under."[1] The other passed in March 1770, intituled "An "Act to explain and Amend An Act for the Relief of Insol-"vent Debtors."[2] The Disallowance of which said two Acts

[1] See *ante* p. 217.
[2] Ibid.

was signified to His Excellency by Copies of two several Minutes of His Majesty's most Honourable Privy Council, dated the seventh day of June last transmitted to His Excellency by the Earl of Hillsborough his Majesty's Principal Secretary of State for American Affairs, in the following words.

At the Court at S^{t} James's the 7th day of June 1771.

Present
The Kings Most Excellent Majesty.

Lord Chancellor,	Lord Chamberlain,	Viscount Falmouth,
Lord President,	Earl of Rochford,	Lord North,
Lord Privy Seal,	Earl of Bristol,	Hans Stanley Esq.
Duke of Ancaster,	Earl of Pomfret,	Rich^{d} Rigby Esq.
Duke of Queensberry,	Earl of Hillsborough,	Geo: Onslow Esq.

Whereas by Commission under the Great Seal of Great Britain the Governor Council and Assembly of His Majesty's Colony of New Jersey are Authorized and Impowered to make constitute and Ordain Laws Statutes and Ordinances for the Publick peace, welfare and good Government of the said Colony, which Laws Statutes and Ordinances are to be as near as conveniently may be agreeable to the Laws and Statutes of this Kingdom, and are to be transmitted to His Majesty for his Royal Approbation or disallowance; And whereas in pursuance of the said Powers An Act was passed in the said Colony in November 1769, intituled as follows (Viz^{t})

"An Act to Erect Courts in the several Counties in this Colony for the Trial of Causes of ten pounds and under"

Which Act together with a Representation of the Lords Commissioners for Trade and Plantations thereupon having been referred to the Consideration of a Committee of the Lords of His Majesty's most Honourable Privy Council for Plantation Affairs, the said Lords of the Committee did this Day report as their Opinion to His Majesty, that the said Act

ought to be disallowed; His Majestys taking the same into Consideration, was pleased with the Advice of His Privy Counsel to declare his disallowance of the said Act; And pursuant to His Majesty's Royal Pleasure thereupon expressed, the said Act is hereby disallowed declared void, and of none Effect. Whereof the Governor or Commander in Chief of His Majesty's said Colony of New Jersey for the time being and all others whom it may concern, are to take Notice and Govern themselves accordingly.

STEPH: COTTRELL

At the Court at S^{t} James's the 7th day of June 1771.

Present
The Kings most Excellent Majesty

Lord Chancellor	Lord Chamberlain	Viscount Falmouth
Lord President	Earl of Rochford	Lord North,
Lord Privy Seal	Earl of Bristol	Hans Stanley Esq.
Duke of Ancaster	Earl of Pomfret	Rich^{d} Rigby Esq.
Duke of Queensberry	Earl of Hillsborough	George Onslow Esq.

Whereas by Commission under the Great Seal of Great Britain the Governor Council and Assembly of His Majesty's Province of New Jersey are Authorized and Impowered to make constitute and Ordain Laws Statutes and Ordinances for the Publick Peace Welfare and good Government of the said Province, which Laws Statutes and Ordinances are to be as near as conveniently may be, agreeable to the Laws and Statutes of this Kingdom, and are to be transmitted to His Majesty for His Royal Approbation or disallowance; And whereas in pursuance of the said Powers, An Act was passed in the said Province in March 1770 and transmitted, intituled as follows Viz^{t}

"An Act to explain and Amend An Act of the General "Assembly passed in the tenth Year of His Majesty's Reign, "intituled An Act for the Relief of Insolvent Debtors, and "for other purposes therein mentioned"

Which Act together with a Representation of the Lords Commissioners for Trade and Plantations thereupon, having been referred to the Consideration of a Committee of the Lords of His Majestys most Honourable Privy Council for Plantation Affairs, the said Lords of the Committee did this Day Report as their Opinion to His Majesty that the said Act ought to be disallowed; His Majesty taking the same into Consideration was pleased with the Advice of His Privy Council to declare his disallowance of the said Act; And pursuant to His Majesty's Royal Pleasure thereupon expressed the said Act is hereby disallowed, declared Void, and of none Effect.

Whereof the Governor or Commander in Chief of His Majestys said Province of New Jersey for the time being, and all others are to take Notice and Govern themselves accordingly.

STEPH COTTRELL

His Excellency was also Pleased to acquaint the Board that upon the Receipt of the said Copies of the Minutes of the Privy Council, he had thought proper to issue a Proclamation to Notify the Repeal of the said two Acts in the Words follow.

By His Excellency

William Franklin Esq. Captain General Governor and Commander in Chief in and over the Province of New Jersey and Territories thereon depending in America Chancellor and Vice Admiral of the same &c^{a}

A Proclamation

Whereas His Majesty by two several Orders in Council at S^{t} James's bearing date the seventh day of June last, hath been pleased with the Advice of his Privy Council, to declare his disallowance of two Acts of the Legislature of this Province, one of which said Acts was passed in November 1769, and is intituled "An Act to erect Courts in the several Coun-

"ties in this Colony for the Trial of Causes of Ten pounds "and under."

The other is an Act passed in March 1770 intituled "An "Act to explain and Amend An Act of the General Assembly "passed in the tenth Year of His Majesty's Reign, intituled "An Act for the Relief of Insolvent Debtors and for other "purposes therein mentioned."

And pursuant to His Majesty's Royal Pleasure thereupon expressed the said Acts are thereby disallowed declared void and of none Effect.

I have therefore thought fit to publish His Majesty's Royal disallowance and Repeal of the said two Acts by Proclamation, to the End that all his Majesty's Subjects whom it may concern may take Notice thereof and govern themselves accordingly.

Given under my Hand and Seal at Arms at the City of Burlington the thirteenth day of September in the Eleventh Year of the Reign of our Sovereign Lord King George the Third, Anno Domini 1771.

WM FRANKLIN

By his Excellency's Command
CHA PETTIT D Secr^y

God save the King.

Of which the Council approved.

At a Council held at Burlington on Monday the 25th of November 1771.

Present
His Excellency the Governor

David Ogden Esq.	Samuel Smith Esq
Charles Read Esq	James Parker Esq
John Stevens Esq	Stephen Skinner Esq.
	Daniel Coxe Esq.

His Excellency was pleased to lay before the Board a Letter from Samuel Toby Esq. one of the Justices of the Peace for the County of Burlington requesting to be dismissed from the said office, Whereupon His Excellency with the Advice of the Council was pleased to Order that a Supersedeas do issue to the said Samuel Toby.

His Excellency was pleased to lay before the Board a Petition from the Congregation at Reformed River at Egghar-bour in the County of Gloucester, praying that Samuel Syrs may be appointed a Justice of the Peace in the County of Gloucester; Also a Petition from sundry Inhabitants of the Township of Amwell in the County of Hunterdon, praying that Joseph Reading may be appointed a Justice of the Peace in the said County; both which Petitions were read and referred for farther Consideration to the next Meeting of the Board.

His Excellency was pleased to lay before the Board the Complaint of James M^{c}Bride against Joseph Kitchell Esq. one of the Justices of the Peace for the County of Morris.

At a Council held at Burlington on Tuesday the 26th of November 1771.

Present

His Excellency the Governor.

David Ogden Esq	Richard Stockton Esq
John Stevens Esq	Samuel Skinner Esq
Samuel Smith Esq	Daniel Coxe Esq.
James Parker Esq.	

Sundry Complainants
v
John Rockhill Esq one of the Justices of the Peace for the County of Hunterdon.

On Complaints made to the Governor against the said John Rockhill which now came on to be heard before the Governor in Council.

John Bassett, Robert Graham, Joseph Stout, John Crawford, Samuel Johnson Esq. and Robert Farnsworth. } Severally Sworn and Examined

The Parties Complainant having been fully heard, and the said John Rockhill Esq^{r} having been heard in his Defence; and the Council having deliberated thereon: It is the Opinion of the Board, that altho' the Conduct of the said John Rockhill does not appear to have been such as to Merit his being displaced from his Office of Justice of the Peace, Yet that he has Nevertheless acted Contrary to his Duty in having made it a custom to take a fee of nine pence not warranted by Law for entering a Judgment after the parties had agreed the Matter in dispute when no Judgment could be necessary.

Ordered that a Copy of the foregoing Minute be delivered to the said John Rockhill Esq.

M^{r} Stevens having on the 27th of March 1770 obtained a Warrant on the Treasury for Six pounds twelve Shillings, in Lieu of a Warrant of the same Tenor, dated the 6th Day of December 1769, N^{o} 392, which was suggested to have been Lost, M^{r} Stevens now informed the Board that he had found the last mentioned Warrant, and having received the Money on the former Warrant, the said Warrant dated the 6th of December 1769 was now delivered up to the Board, and the same was cancelled and burned.

At a Council held at Burlington on Friday the 29th of November 1771.

Present

His Excellency The Governor

David Ogden Esq^{r} — Richard Stockton Esq^{r}
John Stevens Esq^{r} — Stephen Skinner Esq^{r}
Samuel Smith Esq^{r} — Daniel Coxe Esq^{r}
James Parker Esq^{r}

His Excellency was pleased to lay before the Board the Draught of a Message to the House of Assembly, relative to the Petition of the Indians, praying leave to Lease out their Lands at Brotherton; And the Draught of a Message to the House of Assembly relative to the Issuing a Writ for the Election of a Member for the County of Essex, in the Room of John Ogden Esq; And to ask the Advice of the Council whether it would be proper to send the said Messages to the House of Assembly or not

Whereupon the Council advised His Excellency to send the said Messages to the House of Assembly.

At a Council held at Burlington on Tuesday the 3d of December 1771.

Present

His Excellency The Governor

Charles Read Esq	Stephen Skinner Esq
John Stevens Esq	Daniel Coxe Esq
Samuel Smith Esq	John Lawrence Esq
James Parker Esq	

Silas Parvin having at Sundry times exhibited Complaints against Jonathan Holmes, Howell Powell, Jonathan Ayars, Ephraim Seely, and Samuel Fithian Esqrs Justices of the Peace in the County of Cumberland, and this Day having been appointed for the hearing of the said Complaints, the said Silas Parvin attended, and Ephraim Seely, Samuel Fithian and Jonathan Ayars Esqr also attended in behalf of themselves and the other Justices complained against, And the said Silas Parvin, being called upon to Support his Accusations against the said Justices, acknowledged that he could not prove the Charges so fully as he expected, and desired Leave to withdraw his Complaints, But the said Justices requested, as they had been traduced by the said Parvin, and had been at Some Pains to procure Affidavits to prove to the

Board the ill Treatment they had received from him, that some of the Affidavits might be read and the said Parvin thereupon requested that some of the Affidavits on his part might be also read.

Ordered that the said Affidavits be referred to the Gentlemen of the Council or any three of them and that they be read before the said Committee in the Council Chamber to morrow morning.

At a Council held at Burlington on Wednesday the 4th of December 1771.

Present
His Excellency The Governor

Charles Read Esq	Stephen Skinner Esq
John Stevens Esq	Daniel Coxe Esq
Samuel Smith Esq	John Lawrence Esq
James Parker Esq	

Mr Read from the Committee to whom was referred the Complaints of Silas Parvin against Ephriam Seely Esq and others His Majesty's Justices of the Peace of the County of Cumberland complained of, reported that the said Committee had spent a Considerable time in hearing both Parties, and from the Evidence before them were unanimously of Opinion that Silas Parvin the Complainant had not been able to prove the least misbehaviour in the Magistrates, and did acknowledge before the Committee that he was unable to support his Charge and asked their Pardon for the Trouble he had put them to, and his Behaviour toward them.

And the Committee are further of Opinion from the Proofs that the Complaints of the said Silas Parvin are frivolous, and vexatious, that he has at several times insulted the Bench of Justices sitting in their Court of Judicature, and also as single Magistrates; that the Court of Cumberland acted with a becoming Spirit in vindicating the Dignity of their Com-

miss[rs] and by no means exceed the Authority lodged in them by the Laws of the Country in Committing the said Silas Parvin on his Refusal to find sureties for his good Behaviour: And that nothing has appeared in the Conduct of Said Magistrates either oppressive or Contrary to Law.

Which Report being read was approved of by the Board.

At a Council held at Burlington on Friday December 6[th] 1771.

Present
His Excellency The Governor.

Charles Read Esq[r]	Richard Stockton Esq[r]
John Stevens Esq[r]	Stephen Skinner Esq[r]
Samuel Smith Esq[r]	Daniel Coxe Esq[r]
James Parker Esq[r]	John Lawrence Esq[r]

His Excellency was pleased to lay before the Board the Petition of the Presbyterian Clergy in Communion with the present Established Church of Scotland, residing in the Province of New Jersey; praying for a Charter to Incorporate into a Body Corporate and Politick with perpetual Succession such fit and prudent Persons as to His Majesty shall seem fit, by the Name of The New Jersey Society for the better Support and Education of the Widows and Children of deceased Presbyterian Ministers, in Communion with the present Established Church of Scotland, together with a Draught of a Patent for that Purpose, which were severally read, and the said Patent referred to the Consideration of the Attorney General.

His Excellency was pleased to lay before the Board a Petition from the Court of Quarter Sessions in the County of Gloucester, setting forth that the time appointed for holding the Spring and Fall Terms are found to be inconvenient, and praying for an Ordinance to alter the said Terms to the first Tuesday in October, and the Third Tuesday in March

Yearly. Whereupon the Council advised His Excellency to issue an Ordinance agreeably to the Prayer of the said Petition.

His Excellency was also Pleased to lay before the Board a Representation, together with the Attorney General's Opinion respecting a Murder lately committed on the River Passaick and to ask the Opinion of the Council what steps it would be proper to take thereon. Whereupon the Council informed his Excellency that a Law was now under Consideration which would remove the Difficulty therein mentioned.

At a Council held at Burlington on Tuesday December the 17th 1771.

Present
His Excellency The Governor.

Charles Read Esq	Stephen Skinner Esq
John Stevens Esq	Daniel Coxe Esq
Samuel Smith Esq	John Lawrence Esq.
James Parker Esq	

William Ouke
v
Ezekiel Forman } In Error

Mr Skinner of Council for the Pltiff in Error moved for the Argument on the Errors assigned on this Cause now to come on, but Mr Reed of Council with the Defendant having suggested to the Court that there had not been due Notice given of the said Motion, and that he was not ready for the Argument.

Ordered that the said Errors be Argued on Monday next if the Council shall be then sitting, but if the General Assembly shall be prorogued before Monday next, then that the said Argument do come on as soon thereafter as there shall be a General Meeting of the Council.

At a Council held at Burlington on Friday the 20th of December 1771.

Present
His Excellency The Governor

Charles Read Esq	Stephen Skinner Esq
John Stevens Esq	Daniel Coxe Esq
Samuel Smith Esq	John Lawrence Esq
James Parker Esq	

His Excellency was pleased to Nominate Jonathan Leaming and Elijah Hughes to be Justices of the Peace in the County of Cape May to which the Council Assented. And His Excellency with the Advice of Council was pleased to Order that a New Commission of the Peace be made out for the said County of Cape May.

His Excellency was pleased to Nominate Theophilus Elmer and David Bowen, to be Coroners in the County of Cumberland, to which the Council assented.

The Resolves of the Council and House of Assembly of the 11th Instant appointing Doctor Benjamin Franklin Agent for this Colony, being laid before the Board, His Excellency with the Advice of the Council was pleased to give his Concurrence to the said Resolves.

At a Council held at Burlington on Saturday the 21st of December 1771.

Present
His Excellency The Governor

Charles Read Esq	Stephen Skinner Esq
John Stevens Esq	Daniel Cox Esq
Samuel Smith Esq	John Lawrence Esq
James Parker Esq	

His Excellency was pleased to Sign the following Warrants Ordering the Treasurers or either of them to pay.

N° 533	To the Honourable John Berrien Esq. for holding the Circuit Courts in the Counties of Bergen, Morris and Essex in June last.....	30 „	0 „	0
534	To the Honourable Charles Read Esq for holding the Circuit Courts in the Counties of Somerset and Monmouth in October last.....	20 „	0 „	0
535	To His Excellency the Governor for one Quarters Salary to 21st of November last.....	300 „	0 „	0
536	To His Excellency the Governor for one Quarters House Rent to the 21st of November last.....	15 „	0 „	0
537	To the Hoñble Frederick Smith Esqr for his Salary as Chief Justice from the 21st of August to the 1st of October last.....	16 „	13 „	4
538	To the Hoñble Charles Read Esqr for his Salary as Second Judge of the Supream Court from the 21st of August to the 1st of October last at £50 ℔ ann	5 „	11 „	1
539	To the same for his Salary from the 1st of October last to the 21st of Novr at the rate of £75 ℔ annum..	10 „	8 „	4
540	To the Hoñble John Berrien Esq third Justice of the Supreme Court for one Quarters Salary to the 21st of November last.....	12 „	10 „	0
541	To Samuel Smith Esq. one of the Treasurers, for one Quarters Salary as above.....	10 „	0 „	0

542	To Stephen Skinner Esq one of the Treasurers for One Quarters Salary as above	10 „ 0 „ 0
543	To Cortland Skinner Esq. Attorney General for One Quarters Salary as above	7 „ 10 „ 0
544	To Charles Pettit Esq[r] Deputy Clerk of the Council for one Quarters Salary as above	7 „ 10 „ 0
545	To Charles Pettit for the use of Joseph Warrell Esq[r] Clerk of the Circuits, for one Quarters Salary as above	5 „ 0 „ 0
546	To John Carty Door Keeper to the Council for One Quarters Salary as above	2 „ 10 „ 0
547	To Charles Pettit for the use of David Ogden Esq. for nineteen days Attendance as one of His Majesty's Council in April and May last, and twenty Days at this Session of General Assembly	11 „ 14 „ —
548	To Charles Read Esq. for 34 days attendance as above at this Session	10 „ 4 „ —
549	To John Stevens Esq for 37 days attendance as above at this Session	11 „ 2 „ 0
550	To Samuel Smith Esq for 32 days attendance as above at this Session	9 „ 12 „ —
551	To James Parker Esq for five days attendance as above in May last and 34 days attendance at this Session	11 „ 14 „ 0
552	To Richard Stockton Esq. for 16 days Attendance as above at this Session.	4 „ 16 „ —
553	To Stephen Skinner Esq for 36 days Attendance as above at this Session.	10 „ 16 „ —
554	To Daniel Coxe Esq for 34 days attendance as above at this Session	10 „ 4 „ —

555	To John Lawrence Esq for 32 Days attendance as above at this Session..	9 „ 12 „ —
556	To Richard Smith Esq Clerk of the House of Assembly for 32 Days attendance this Session and for Extraordinary Services.....	38 „ 9 „ 10
557	To David Overton Door Keeper to the House of Assembly for 18 Days Attendance in April and May last & 32 Days attendance at this Session at 3/6 ℔ day.....	8 „ 15 „ 0
558	To Charles Pettit Esq for Extraordinary Services as allowed ℔ Support Bill.....	25 „ 0 „ 0
559	To the same for Expense of Expresses as allowed in the Support Bill.....	52 „ 0 „ 0
560	To Thomas Polgreen Howlings for five Weeks hire of a Room for the Council, and for House Rent Fire Wood &c for the use of the House of Assembly during this Session.....	17 „ 0 „ 0
561	To Edward Hasswell for one Years Salary as Doorkeeper or Serjeant at Arms to the Council to the 21st of November last.....	10 „ 0 „ 0

A true Copy of the Minutes of the Privy Council of New Jersey from the 20th of October 1771 to the 21st of December 1771 inclusive

CHAS PETTIT D Clk

[L. S.] At a Council held at Burlington on Friday February 21st 1772.

Present
His Excellency The Governor

Charles Read Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
Richard Stockton Esq.	John Lawrence Esq.

His Excellency was pleased to Nominate Samuel Blackwood of Deptford and Thomas Clark of Greenwich in the County of Gloucester to be Justices of the Peace in the said County.

Henry Freeman of Woodbridge to be a Justice of the Peace in the County of Middlesex

Joseph Reading of Amwell be be a Justice of the Peace in the County of Hunterdon, and

Richard Cochran and Robert Stockton Esquires to be Judges of the Pleas in the County of Somerset, to which Several Nominations the Counsel assented

It appearing to the Board that George Brown Esq. one of the Justices of the Peace in the County of Middlesex has greatly misbehaved himself and is unworthy to be continued in the Commission of the Peace, His Excellency with the Advice of the Council was pleased to order that a Supercedeas do issue to the said George Brown.

A Complaint being exhibited against Thomas Walker Esquire one of the Justices of the Peace in the County of Middlesex for Marrying Persons without License or Publication according to Law, His Excellency was pleased to Order the Deputy Secretary to write to the said Thomas Walker and give him information of the said Complaint that he may have an Opportunity to answer it.

His Excellency was pleased to lay before the Board a Petition from the Overseers of the Poor of the Township of

Amwell and a Representation from the Bench of Justices in the County of Hunterdon, relative to a Noli Prosequi lately entered by the Attorney General by His Excellency's Order in the Court of Quarter Sessions in the County of Hunterdon in an Action the King against Thomas Herber. And it appearing to the Board that His Excellency had issued the said Order on the Recommendation of one of His Majesty's Council and the Attorney General, and on good Cause being Suggested, the Board was of Opinion that the same was properly issued by His Excellency; and that the said Order cannot now be revoked, the Noli prosequi having been entered in the said Court of Quarter Sessions at the last Term.

His Excellency was pleased to lay before the Board the Report of the Attorney General relative to the Draught of a Charter referred to him by this Board on the 6th of December last, for incorporating "The New Jersey Society for the better "Support and Education of the Widows and Children of "deceased Presbyterian Ministers in Communion with the "present established Church of Scotland," which Report is in the words following Viz[t]

"May it Please your Excellency

"I have with great Attention considered the Draught of a "Charter for raising a Fund to Support the Widows and "Children of Presbyterian Ministers, and humbly report to "your Excellency that several points have occurred to me, "which I conceive are of too much Importance to be decided, "but by the highest Authority.

"Not to dwell on the Objections which may arise from the "Extension to this Province of the Several Acts of Uniformity passed before this became an English Colony, and the "Consideration how far they may militate against the Establishment aimed at by this Charter, I cannot but remind "your Excellency of the Statute of the 5 Anne Cap. 5. "(made preparatory to and declared to be a Fundamental of "the Union between the Kingdoms of England and Scotland) "intituled *An Act for Securing the Church of England as by*

"*Law Established.* It is among other things thereby "Enacted that the Queen's Successors at their Coronation "should take an Oath to *maintain and preserve inviolably the* "*said* SETTLEMENT *of the Church of England and the Doc-* "*trine Discipline and Government thereof as by* LAW *Estab-* "*lished within the Kingdoms of England and Ireland the* "*Dominion of Wales, the Town of Berwick upon Tweed* AND "THE TERRITORIES THEREUNTO BELONGING. This Act is "recited at large in the Act of Union, as also An Act of the "Scotch Parliament for the Preservation of the Church of "Scotland in that Kingdom only.

"It appears also to me a Matter of no Small Concern, how "far the Measure may be expedient. But whether a Grant "of this Charter is inconsistent with his Majesty's Coronation "Oath as tending towards an Establishment repugnant to "the Provisions of the said Act of Queen Anne or whether "in sound Policy the Priviledges and Immunities Petitioned "for ought to be granted by this Government *should it be* "*legal so to do,* are Questions, which I conceive are improper "for me either to determine or pass unnoticed, and the more "so because I understand that in a Report lately made to his "Majesty by the Lords Committee of Council for Plantation "Affairs, founded on a Report of the Lords Commissioners "of Trade and Plantations respecting a Petition for an incor- "poration of the Presbyterian Ministers Elders and Deacons "and Trustees in New York referred to the Lords of Trade, "by His Majesty for their Consideration and Report, it "appears that the Question how far that Establishment could "be created by His Majesty consistent with his Coronation "Oath, was before the said Lords Commissioners and that "they reported to the Lords of the Committee that they con- "ceived this Question to be of too great importance for them "to decide upon, but that upon the fullest Consideration they "were of Opinion that independent of the Objection arising "out of this Question it was not expedient upon Principles "of a general Policy to comply with the Prayer of that

"Petition, or to grant them any other Priviledges than they "are *intitled to by the Laws of Toleration*, in which Senti- "ments the Lords of the Committee of Council agreed, and "reported to His Majesty that the said Petition ought to be "dismissed, and His Majesty taking the same into Considera- "tion was Pleased with the Advice of His Privy Council to "approve thereof and to dismiss the said Petition.

"Upon the whole as a Report in favour of the proposed "Charter, presupposes a Conviction on my part of the Legal- "ity and Propriety of it, and which under all the Circum- "stances I cannot presume to Affirm, I thought it my Duty "to Offer these Suggestions to your Excellency's Considera- "tion. conceiving it needless untill I receive your Excellency's "further Commands to enter into a Discussion of the Draught "referred to me, which is liable in itself to many Objections.

"I am

"Your Excellency's most obedient

"humble Servant

"Jan^{y} 25th 1772" CORTL^{d} SKINNER"

The Council having taken the said Report into Considera- tion and deliberated thereon, are of Opinion That if the said Charter shall be so drawn as to be unexceptionable in Point of Form, and shall be confined solely to the purposes of the Charitable Institution therein mentioned, and the said Cor- poration made accountable to this Board for the Moneys they shall receive and pay by virtue of the said Charter, then and in such Case His Excellency may with propriety order the Great Seal to be Affixed to the said Charter, without referring the same to the Consideration of His Majesty's Ministers as advised by the Attorney General, it appearing to the Council that the Reference made to the Board of Trade from the Governor of New York, relative to a Charter for a Presby- terian Congregation in that Province, is by no means similar to the Case now in Question.

His Excellency was pleased to inform the Board that at

the close of the late Session of General Assembly the House of Representatives had requested that they might be dissolved, and to ask the Advice of the Council whether it would be proper to comply with the said Request or not? The Council taking the same into Consideration advised his Excellency to dissolve the present General Assembly. Whereupon His Excellency was Pleased to issue a Proclamation for that purpose in the words following Viz^{t}

By His Excellency William Franklin Esquire Captain General, Governor and Commander in
[L. S.] Chief, in and over the Province of New Jersey and Territories thereon depending in America Chancellor and Vice Admiral in the same &c^{a}

A Proclamation

Whereas His Majesty hath been graciously pleased to give His Royal Assent to an Act of the Legislature of this Province, passed at Perth Amboy in the eighth Year of His Majesty's Reign, intituled "An Act for choosing Representa-"tives in the Counties of Morris, Cumberland, and Sussex, "and directing the Morris County Taxes to be paid into the "Eastern Treasury of this Colony," whereby the Inhabitants of each of the said Counties of Morris, Cumberland, and Sussex, are intitled and impowered to choose two Representatives to serve in the General Assembly of this Colony: And Whereas the Election of the Representatives for the said three Counties pursuant to the said Act cannot be had untill after dissolution of the present General Assembly:

I have therefore thought fit by and with the Advice and consent of His Majesty's Council to dissolve the present General Assembly of this Province of New Jersey, and the said General Assembly is hereby dissolved: of which all Persons concerned are to take Notice and govern themselves accordingly.

Given under my Hand and Seal at Arms in the City of Burlington the twenty first day of February in the twelfth

Year of the Reign of George the Third by the Grace of God of Great Britain France and Ireland King Defender of the Faith &c, Anno Domini 1772.

Wm Franklin

By His Excellency's Command

Chas Pettit D Secy

God save the King

His Excellency was pleased to sign the following Warrants ordering the Treasurers or either of them to pay

N° 562.	To His Excellency the Governor or Order for one Quarters Salary due this Day	300 „	0 „ 0
563.	To the same for one Quarters House Rent	15 „	— „ —
564.	To the Honble Charles Read Esq. Second Judge of the Supreme Court for one Quarter's Salary	18 „	15 „ 0
565.	To the Honble John Berrien Esq. third Justice of the Supreme Court for one Quarters Salary	12 „	10 „ —
566.	To Samuel Smith Esq. one of the Treasurers for one Quarters Salary	10 „	0 „ —
567.	To Stephen Skinner Esq. one of the Treasurers for one Quarters Salary	10 „	— „ —
568.	To Cortland Skinner Esq. Attorney General for one Quarters Salary	7 „	10 „ —
569.	To Charles Pettit Esq. Deputy Clerk of the Council for one Quarters Salary	7 „	10 „ —
570.	To Charles Pettit Esq Deputy Clerk of the Circuits for one Quarter's Salary	5 „	0 „ —
571.	To John Carty Doorkeeper to the Council for one Quarters Salary	2 „	10 „ —

572. To Isaac Collins Esq. for printing the Laws and Votes of the last Session of General Assembly and other Services agreeable to the Certificate of Abraham Hewlings and Henry Paxson Esquires..... 153 „ 15 „ 3

573. To Richard Smith Esq. for Copying the Laws and Votes of the last Session for the Printer, and for Recording the Votes of the House of Assembly in their Journal..... 18 „ 0 „ 0

574. To Charles Pettit Esq. for a Copy of the Laws passed at the last Session to send to England..... ..... 6 „ 6 „ 8

575. To Thomas Whetherill Sergeant at Arms to the House of Assembly for fourteen days Attendance in April and May, and thirty two days at the Session in Novem[r] and December last..... 6 „ 18 „ —

At a Council held at Burlington on Saturday the 16[th] of May 1772.

Present

His Excellency The Governor

David Ogden Esq. Samuel Smith Esq.
Charles Read Esq. John Lawrence Esq.
John Stevens Esq.

His Excellency was pleased to lay before the Board His Majesty's Royal disallowance of two Acts of the General Assembly of this Province which was signified to His Excellency by a copy of the Minutes of His Majesty's most Honble Privy Council, transmitted by the Earl of Hillsborough one of His Majesty's Principal Secretaries of State in the words following Viz[t]

[L. S.] At a Court at S^{t} James's the 15th day of January 1772

Present

The Kings most Excellent Majesty

Lord President	Viscount Barrington
Duke of Queensbury	Viscount Hinchinbrooke
Lord Chamberlain	Lord North
Earl of Denbigh	General Conway
Earl of Sandwich	Welbore Ellis Esquire
Earl of Litchfield	Sir Gilbert Elliott
Earl of Rochford	George Onslow Esquire
Earl of Bristol	George Rice Esquire
Viscount Falmouth	

Whereas by Commission under the Great Seal of Great Britain the Governor Council and Assembly of His Majesty's Province of New Jersey are Authorized and impowered to make constitute and ordain Laws Statutes and Ordinances for the Publick Peace Welfare and good Government of the said Province; which Laws Statutes and Ordinances are to be as near as conveniently may be agreeable to the Laws and Statutes of this Kingdom and are to be transmitted for His Majesty's Royal Approbation or Disallowance: And Whereas in Pursuance of the said Powers two Acts were passed in the said Province in October 1770. and transmitted intituled as follows viz^{t}

"A Supplementary Act to An Act intituled An Act for "the better enabling of Creditors to recover their Debts from "Persons who abscond themselves"

"An Act to enable Persons who are His Majesty's Liege "Subjects either by Birth or Naturalization to inherit and "hold Real Estates, notwithstanding the Purchase Grant or "Devise were made before Naturalization within this Colony."

Which Acts together with a Representation from the Lord Commissioners for Trade and Plantations thereupon having

been referred to the Consideration of a Committee of the Lords of His Majesty's most Honourable Privy Council, the said Lords of the Committee did this day report as their Opinion to His Majesty that the said Acts ought to be disallowed. His Majesty taking the same into Consideration was pleased, with the Advice of His privy Council, to declare his Disallowance of the said Acts: and pursuant to His Majesty's Royal Pleasure thereupon expressed the said Acts are hereby disallowed, declared void and of none Effect. Whereof the Governor or Commander in Chief of His Majesty's said Province of New Jersey for the time being and all others whom it may concern are to take Notice and Govern themselves accordingly.

STEPH: COTTRELL"

His Excellency was Pleased to lay before the Board a farther Report of the Attorney General upon the Draught of a Charter for incorporating the "New Jersey Society for the "better Support and Education of the Widows and Children "of deceased Presbyterian Ministers in communion with the "present established Church of Scotland," which was read in the words following. Viz[t]

"In obedience to your Excellency's Commands I have "again considered the Draught of the Charter for incorpor-"ating certain Persons and enabling them to raise a Fund "for supporting the Widows and Educating the Children of "Presbyterian Ministers, and propose the following Amend-"ments and Additions. In the Second Line instead of "*Presbyterian Clergy* say *Presbyterian Ministers or Teachers*, "and so throughout the whole Charter. The King in his "Grant can't know nor with Propriety call any Men *Clergy-*"*men* but those of the Established Church of England, at "least in England Ireland and these Colonies. In Acts of "Parliament the Ministers of Dissenting Congregations are "Stiled Ministers or Teachers, never Clergymen, for which "I refer to every Statute in which they are named and if it

"is possible to produce a Charter to them I dare say they "have not the same Stile with the Clergy of the established "Church. How far they are in Communion with the Church "of Scotland I do not know, but if the Matter was inquired "into I am of Opinion that they are not in full Communion "and therefore the words in Communion with the present "established Church of Scotland," should be omitted.

To prevent the misapplication of the Fund I have drawn two Clauses to be inserted in the Charter; by the "1st I intend "to make them render Annual Accounts and subject their "Books &c, to Inspection if necessary and by the 2d that "their Charter shall be void upon such Misapplication."

These are necessary in my opinion because 1st In Grants of this Kind even to the Professors of the Church by Law established they are inserted. 2d Because I am credibly informed and believe it to be true that in a neighbouring Government or Corporation of the like sort apply part of the Income of their Funds often in paying Salaries to Teachers in several parts of the Continent where new settlements are made, which, if they can justify from the Powers given in that Charter Yet seems to me to be against the intention of the Grant, and ought to be guarded against in this; for from such Practices an *Establishment*, will be formed for their Teachers not intended by Government.

CORTd SKINNER

Which Report was referred to farther Consideration His Excellency was Pleased to nominate the Honourable David Ogden Esq. to be one of the Justices of the Supreme Court of this Province in the Room of John Berrien Esq. deceased to which the Council assented.

His Excellenty was Pleased to nominate Thomas Anderson Esq. and Abraham Van Campen to be Justices of the Peace in the County of Sussex to which the Council assented.

His Excellency was Pleased to signify to the Board that he wanted to have an Account of the Number of Inhabitants of this Province distinguished into several Classes, and of

the number of Births and Burials in the same for one Year: and to ask the Advice of the Council in what manner he could best obtain the said Accounts. Whereupon the Council advised His Excellency to cause a number of Blank Lists to be printed with the proper Heads and Titles and to Issue Orders to the several Sheriffs to request the Assessors in their respective Districts to fill them up at the time of their going about to take the Rates and Assess the Taxes on the Inhabitants. And a List was made out accordingly.

[Vide the printed Form annexed.[1]]

At a Council held at Burlington on Monday the 25th day of May 1772

Present

His Excellency The Governor

Charles Read Esq.
Samuel Smith Esq.
John Lawrence Esq.

His Excellency was pleased to acquaint the Board that he had received information that on the Night of the 22d Instant a Murder had been committed on the Body of Elizabeth Knight in the County of Burlington by some Person or Persons unknown, and that application had been made to his Excellency to issue a Proclamation offering a Reward for the discovery and apprehending of the Perpetrators of the said Murder.

Whereupon the Council advised his Excellency to issue a Proclamation for that purpose, which was done accordingly in the following words

[L. S.] By His Excellency William Franklin Esq. Captain General Governor and Commander in Chief in and over the Province of New Jersey and Territories therein depending in America Chancellor and Vice Admiral of the same &c

[1] See page 287.

A Proclamation

Whereas I have received Information that on the Night of the twenty second day of this Instant May, a barbarous and horrid Murder was committed on the Body of one Elizabeth Knight, in the Township of Evesham, by some Person or Persons as yet unknown, the said Elizabeth Knight having been found dead in her House early in the Morning of the twenty third Instant, with her Scull broken in two Places, and her right Arm broken below the Elbow.

I have therefore thought fit, by and with the Advice and consent of His Majesty's Council, to issue this proclamation, hereby strictly charging and commanding all Justices of the Peace Sheriffs and other Officers within this Province to be particularly vigilant in endeavouring to detect the Perpetrator or Perpetrators of this atrocious Murder, so that he or they may be brought to Condign Punishment, And in order to encourage a Zeal and Activity in the Pursuit I do hereby promise a Reward of Fifty Pounds to be paid out of the Publick Treasury of this Province to any Person or Persons who shall apprehend and secure the said Murderer or Murderers so that he and they be convicted thereof. And I do farther Promise His Majesty's Most Gracious Pardon to any Accomplice in the said Crime who shall discover and prosecute to Conviction the principal Perpetrator of the same.

Given under my Hand and Seal at Arms at Burlington the 25th day of May in the twelfth Year of the Reign of our Sovereign Lord George the Third Anno Domini 1772.

Wm Franklin

By His Excellency's Command

Chas Pettit D. Secry

God save the King

A List of the Dwelling-Houses and Inhabitants in the Township of in the County of and an Account of the Births and Burials in the said Township for one Year, viz from the 1st of July 1771, to the 1st of July 1772.

Names of the Householders.	Dwelling-Houses.	White Persons of all Denominations in the Township.									
		Males.						Females.			
		under 16 years old.	16 to 50	50 to 80	80 & upwards	married	unmarried	Under 16	16 to 50	50 to 80	80 & upwards

Marriages, Births and Burials of white Persons in the Year above mentioned.									Families & Persons moved out of the Province in the year above mentioned.			Families & Persons come from other Countries and settled in this Province in the said year.			Negroes in the Township.				Births and Burials of Negroes within the said Year.					
	Births.		Burials.												Males.		Femal.		Births.		Burials.			
			Males.			Females.															Males.		Females.	
Marriages.	Males.	Females.	under 16	16 to 50	50 & upwar.	under 16	16 to 50	50 & upwar.	Number of Families.	Males.	Females.	Number of Families.	Males.	Females.	under 16	16 & upwards	under 16	16 & upwards	Males.	Females.	under 16	16 & upwar.	under 16.	16 & upwar.

At a Council held at Burlington on Friday the 19th day of June 1772.

Present
His Excellency The Governor

Charles Read Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	John Lawrence Esq.

His Excellency was pleased to ask the Advice of the Council as to the time of calling a Meeting of the General Assembly: whereupon the Council advised His Excellency to appoint Wednesday the 19th of August next for the said Meeting at Perth Amboy.

His Excellency by the Advice of the Council was pleased to sign the following Warrants ordering the Treasurers or either of them to pay.

N° 576	To Himself or Order for one Quarters Salary due the 21st of May last.....	300 „ 0 „ 0
577	To Himself or Order one Quarters House Rent.....	15 „ 0 „ —
578	To the Honble Charles Read Esq. Second Justice of the Supreme Court for one Quarters Salary.....	18 „ 15 „ —
579	To Samuel Smith Esq. one of the Treasurers for one Quarters Salary..	10 „ 0 „ —
580	To Stephen Skinner Esq. one of the Treasurers for one Quarrs Salary....	10 „ 0 „ 0
581	To Cortland Skinner Esq. Attv General for one Quarters Salary.....	7 „ 10 „ —
582	To Charles Pettit Esq. Deputy Clerk of the Council for one Quarters Salary.....	7 „ 10 „ —
583	To Charles Pettit Esq. Deputy Clerk of the Circuits for one Quarters Salary.....	5 „ 0 „ —

584 To John Carty Doorkeeper to the Council for one Quarters Salary.... 2 „ 10 „ 0

585 To the Honble Charles Read Esq. for holding the Circuit Courts in Cumberland, Salem, Gloucester and Hunterdon April and May last..... 40 „ 0 „ —

586 To the Honourable Samuel Smith Esq one of the Treasurers for cancelling £6,856 „ 17 „ 9 of the Bills of Credit of this Province on the 13th of May last as by the Certificate of the Justices and Freeholders of the County of Burlington appears being one Per Cent on the sd Sum.. 68 „ 11 „ 4

His Excellency was pleased to lay before the Board the Draught of a Proclamation for appointing four Terms to be held Yearly in the Court of Chancery of this Province, which being approved of by the Council His Excellency was pleased to issue the said Proclamation in the words following Vizt

By His Excellency William Franklin Esquire Captain General Governor and Commander in [L. S.] Chief in and over the Province of New Jersey and Territories thereon depending in America Chancellor and Vice Admiral in the same &c

A Proclamation

Whereas it is requisite for the more regular carrying on the Proceedings in the Court of Chancery within this Province, and for expediting the Business thereof, that regular and stated Terms should be appointed and established for holding the said Courts: I have therefore thought fit to fix and appoint, And I do hereby fix appoint and establish four Terms to be held and observed in the said Court Yearly and every Year, for the hearing of Motions and Arguments, trying of Causes and making and entering the Decrees, Rules,

and Orders, of the said Court; which said Terms shall be held, two at the City of Burlington and two at the City of Perth Amboy as follows viz[t] The Terms holden at the City of Burlington shall begin on the Saturday next after the Second Tuesday in May, and the Saturday next after the Second Tuesday in November; And the Terms held at the City of Perth Amboy shall begin on the Saturday next after the first Tuesday in April, and the Saturday next after the first Tuesday in September; which said Terms respectively shall continue from Day to Day as long as may be expedient: And all Persons whom it may Concern are hereby required to take Notice of the said Appointment and Govern themselves accordingly.

And I do hereby strictly Charge and Command as well the immediate Officers and Ministers of the said Court of Chancery, as all Sheriffs and other Officers and Ministers of Justice to whom it shall or may appertain, to give due and regular Attendance at the aforesaid several Terms or sittings of the said Court of Chancery

Given under my hand and Seal at Arms in the City of Burlington the nineteenth day of June in the twelfth Year of the Reign of our Sovereign Lord King George the Third Anno Domini 1772.

W[m] FRANKLIN

By His Excellency's Command

CHA[s] PETTIT D. Secr[y]

God save the King

At a Council held at Perth Amboy on Friday the 21[st] of August 1772.

Present

His Excellency The Governor

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.

His Excellency was Pleased to sign the following Warrants on the Treasury.

N° 587.	To Himself or Order for one Quarters Salary due this day as Commander in Chief	300 „ 0 „ 0
588.	To the same for one Quarters House Rent	15 „ 0 „ —
589	To the Honble Charles Read Esq. for one Quarters Salary as Second Justice of the Supreme Court	18 „ 15 „ —
590.	To the Honble Samuel Smith Esq one Quarters Salary as one of the Treasurers	10 „ — „ —
591.	To the Honble Stephen Skinner Esq. for one Quarter's Salary as one of the Treasurers	10 „ — „ —
592.	To Cortland Skinner Esq. for one Quarters Salary as Attorney General	7 „ 10 „ —
593.	To Charles Pettit Esq. for one Quarters Salary as Deputy Clerk of the Council	7 „ 10 „ —
594.	To Charles Pettit Esq. for one Quarter's Salary as Deputy Clerk of the Circuits	5 „ 0 „ —
595.	To John Carty for one Quarters Salary as Doorkeeper to the Council	2 „ 10 „ —
596.	To Charles Pettit Esq. (for the use of Doctor Benjamin Franklin) for two years and nine Months Salary due to the said Doctor Franklin as Agent for this Colony on the 8th Instant	275 „ 0 „ —
597.	To Richard Stockton Esq. (for the use of the Executors of John Berrien Esq deceased) for two Months Sal-	

ary due to the said John Berrien Esq. as one of the Justices of the Supreme Court the 21st of April last, 8 „ 6 „ 8

At a Council held at Perth Amboy on Thursday the 27th of August 1772.

Present

His Excellency The Governor

Peter Kemble Esq.	Richard Stockton Esq.
David Ogden Esq.	Stephen Skinner Esq.
The Earl of Stirling	Daniel Coxe Esq.
John Stevens Esq.	John Lawrence Esq.
James Parker Esq.	

His Excellency was Pleased to lay before the Board the Draught of a Message to the House of Assembly acquainting them that having received Information that a Battalion of His Majesty Troops are daily expected to arrive in this Province His Excellency has sssued Orders to the Barrack Masters of Perth Amboy Elizabeth Town and Brunswick to put the Barracks into immediate Repair for the Reception of the said Troops, but that the Barrack Masters had represented to him that there is no Fund appropriated for that particular purpose they cannot comply with the said Orders and therefore requesting that the House will make a suitable Provision as well for the Repair of the Barracks as the Supply of the Troops with the Necessaries usually furnished them by the Province. And to ask the Advice of the Council whether it would be proper to send the said Message to the House of Assembly or not. Whereupon the Council advised His Excellency to send the said Message to the House.

His Excellency was pleased to lay before the Board the Petition of Richard Johnson of Gloucester County, and the claims of some other Persons of the reward of fifty Pounds lately offered by Proclamation for apprehending the Murderer of Elizabeth Knight late of the County of Burlington together

with sundry Affidavits in support of the Claim of Burgess Gamble one of the said Claimants and a Letter from M[r] Justice Read recommending that the said Reward should be divided in the following manner, Viz[t] Thirty pounds to the use of the said Richard Johnson, Ten Pounds to the Use of Burgess Gamble and Ten Pounds to the Use of Hugh Kirby Kirevan, Whereupon the Council advised His Excellency to issue the following Warrant to the Treasurers ordering them or either of them to pay

N° 598. To Charles Pettit Esq or Order to the following uses viz[t] Thirty Pounds to the use of Richard Johnson, Ten pounds to the Use of Burgess Gamble, and Ten Pounds to the Use of Hugh Kirby Kirevan 50 „ 0 „ 0

At a Council held at Perth Amboy on Thursday the 17[th] of September 1772.

Present

His Excellency The Governor

David Ogden Esq	John Stevens Esq
The Earl of Stirling	James Parker Esq
Charles Read Esq	Stephen Skinner Esq
	Daniel Coxe Esq.

His Excellency was pleased to Nominate John Hart, Noah Hunt, Noah Hart, Nathaniel Hunt, Oliver Barnet, and Robert Taylor, to be made Justices of the Peace in the County of Hunterdon. To which the Council assented.

His Excellency was Pleased to Nominate Robert Erskine to be made a Justice of the Peace in the Counties of Bergen and Morris. And John Jacob Faish, and Hendrick Mandeville to be made Justices of the Peace in the County of Morris, Henry Alward, Doctor John Cochran, Stephen Hunt, John Vandike jun[r] and Nathaniel Ayres to be made Justices of the Peace in the County of Somerset and Alexander Lynn to be a Judge of the Pleas in the County of Somerset: to which several Nominations the Council assented.

His Excellency was pleased to Nominate Jacob Stain Esq. and Samuel Lundy to be made Judges of the Pleas in the County of Sussex, and Jacob Lundy, Abia Brown, Robert Allison, Abraham Van Camp, and Richard Bouslby[1] to be Justices of the Peace in the said County, to which the Council assented.

His Excellency was pleased to Nominate David Kent and John Ross to be made Justices of the Peace in the County of Middlesex, to which the Council assented.

His Excellency was pleased to Nominate John Wheaton Samuel Ogden of Deerfield, Ephraim Harris, William Dollas William Paulin and Daniel Elmer to be made Justices of the Peace in the County of Cumberland, to which the Council assented.

His Excellency was pleased to lay before the Board a Petition from sundry of the Inhabitants of the Township of Fairfield in the County of Cumberland, praying that the said Township may be divided, and that part of the said Township may by a Charter be Erected into a new Township.

Whereupon the Council advised His Excellency to grant the Prayer of the said Petition.

At a Council held at Perth Amboy on Friday the 18th September 1772.

Present

His Excellency The Governor

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stephens Esq.	

His Excellency was pleased to lay before the Board a Message from the House of Assembly of this Day, requesting "that His Excellency will be Pleased to remove the

[1] Bowlby ?

"Eastern Treasurer from his Office, and appoint another in "his Room, and that His Excellency would be pleased to "concur in a Law to Authorize the Treasurer so to be "appointed to commence a Suit against the now Treasurer "for the Monies Stolen out of the Treasury; or if His "Excellency should disapprove of this Measure, that he "would be pleased to point out some more eligible Method to "obtain this desirable End." And thereupon requested the Advice of the Council what Measures it would be proper to take on this occasion.

The Council taking the same into Consideration advised His Excellency to desire the House of Assembly by Message to appoint a Committee of that House to meet a Committee of the Council in a free Conferrence on the Subject of the said Message from the House of Assembly, so far as relates to the Mode of prosecuting the Suit to be commenced against the Treasurer; but as to the removing him from his Office, the Council desire farther time to deliberate thereon.

At a Council held at Perth Amboy on Saturday the 26th of September 1772.

Present

His Excellency The Governor

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	

His Excellency was pleased to call upon the Council for their Advice respecting the removal of the Eastern Treasurer from his Office as requested by the House of Assembly in their Message, which Message His Excellency had laid before the Board on the 18th Instant. The Council resuming the Consideration of the said request, were unanimously of Opinion that it would not be proper to remove the said Treas-

urer from his Office at present, and advised His Excellency not to comply with the said request of the House of Assembly.

His Excellency was pleased to sign the following Warrants

N° 599.	To Jonathan Deare Esq. Clerk of the House of Assembly nineteen pounds and ten shillings for 39 days attendance at this Session of Assembly at 10/ ℔ Day. And thirty five Pounds ten shillings and eight pence for Sundry Services as provided by the Incidental Bill.....	55 „	0 „ 8
600.	To Andrew Robinson Sergeant at Arms to the House of Assembly for 39 days attendance at this Session at 3/ ℔ Day.....	5 „	17 „ —
601.	To Henry Richards Doorkeeper to the House of Assembly for 39 days attendance at this Session.....	6 „	16 „ 6
602	To Peter Kemble Esq. for 25 days attendance as one of His Majesty's Council at this Session.....	7 „	10 „ —
603	To David Ogden Esq. for 41 Days attendance as above.....	12 „	6 „ 0
604	To Charles Read Esq. for 31 Days attendance as above.....	10 „	10 „ —
605	To the Earl of Stirling for 43 Days attendance as above.....	12 „	18 „ —
606.	To John Stevens Esq. for 45 Days attendance as above.....	13 „	10 „ —
607.	To James Parker Esq. for 39 Days attendance as above..	11 „	14 „ —
608.	To Richard Stockton Esq. for 33 Days attendance as above.....	9 „	18 „ —
609	To Stephen Skinner Esq. for 39 Days attendance as above.....	11 „	14 „ —

610. To Daniel Coxe Esq. for 44 Days attendance as above..... 13 „ 4 „ —
611. To John Lawrence Esq. for 22 Days attendance as above..... 6 „ 12 „ —

A true Copy of the Minutes of the Privy Council of New Jersey

CHA^{s} PETTIT D Clerk of the Council

[L. S.] A Journal of the Proceedings of His Majesty's Council for the Province of New Jersey at a Session of the General Assembly of the said Province begun and holden at the City of Perth Amboy on Wednesday the 19th day of August Anno Domini 1772.

Wednesday August 19th The House met

Present

The Earl of Stirling	James Parker Esq
John Stevens Esq	Stephen Skinner Esq

The House Continued till tomorrow

Thursday August 20th The House met

Present

David Ogden Esq	James Parker Esq
The Earl of Stirling	Stephen Skinner Esq
John Stevens Esq	Daniel Coxe Esq

His Excellency came into the Council Chamber and having by the Deputy Secretary informed the House of Represen-

tatives[1] that he was ready to receive the Presentation of their Speaker, the House attended and presented Cortland Skinner Esq. as their Speaker, of whom his Excellency was pleased to approve.

The Speaker requested that the House might be continued in their usual Priviledges. Whereupon his Excellency was pleased to assure the House that they should be protected in their priviledges.

After which His Excellency was pleased to make a Speech to both Houses in the words following.

Gentlemen of the Council and Gentlemen of the General Assembly.

It affords me particular Pleasure to have it in my Power, at the opening of this Session to congratulate you on the addition which, by His Majesty's gracious allowance, has been made to the number of the Representatives of the good People of this Province,[2] An Event at which I the more rejoice, as I flatter myself it will be the means of uniting all the Parts of the Colony in promoting many Schemes of publick Utility which have hitherto been too much neglected. A fatal sentiment has long unhappily prevailed in this Province, that every Measure which must be attended with Expence, and has not a Tendency to Benefit every part of the Province, equally, ought not to be adopted by the Legislature. It is however scarcely possible to continue any Scheme for the

[1] The members of the Twenty-second Assembly were as follows: *Perth Amboy*—Cortland Skinner, John Combs; *Middlesex*—John Wetherill, John Moores; *Monmouth*—Edward Taylor, Richard Lawrence; *Essex*—Stephen Crane, Henry Garritse; *Somerset*—Hendrick Fisher, John Roy; *Bergen*—Thomas Dey, Johannes Demarest; *Morris*—Jacob Ford, William Winds; *City of Burlington*—James Kinsey, Thomas P. Hewlings; *County of Burlington*—Henry Paxson, Anthony Sykes; *Salem*—Grant Gibbon, Benjamin Holme; *Gloucester*—John Hinchman, Robert F. Price; *Cape May*—Jonathan Hand, Eli Eldridge; *Hunterdon*—Samuel Tucker, John Mehelm; *Cumberland*—John Shepherd, Theophilus Elmer; *Sussex*—Thomas Van Horne, Nathaniel Petit. Of the foregoing, John Moores died, and Azariah Dunham was chosen; Thomas Van Horn also died and was succeeded by Joseph Barton.

[2] This addition to the number of Representatives was from the counties of Morris, Cumberland and Sussex, which counties, by a law passed May 10th, 1768, and confirmed by the King in Council, December 9th, 1770, were allowed to choose two Representatives each, "after the dissolution of this present Assembly." See *Allinson's Laws, page 305.*

publick Advantage which can have so extensive an Effect. In the nature of things some Situations must be more immediately benefitted than others; yet whatever procures an Advantage to any part of the Province which it did not enjoy before, is ultimately a Benefit to the whole. For want of a due Attention to this Truth, this Province, which has equal Advantages with any of the Neighbouring Colonies, is, tho' one of the most Antient, shamefully behind all the others in its Trade, Roads, Bridges, publick Buildings, and such other Improvements as denote a Sensible and Spirited people. Every unnecessary Expence should, indeed, be carefully avoided, but it is neither consulting the Interest nor Reputation of the Province, to decline any Expence which the publick good does at any time require.

Gentlemen of the General Assembly

In the year 1765 the Assembly thought proper on my Recommendation, to grant a Bounty upon the raising of Flax and Hemp, and planting of Mulberry Trees in this Colony for raising of raw Silk. The Bounty on the two first Articles has, I am told, been productive of very good Effects; but the Bounty on the latter has, I believe, never been applied for, owing to the People not being till lately, sensible of the Advantages which might accrue to them from the Culture of Silk. From the Success of the Trials which were made last Year in this Colony and Pennsylvania (a particular Account of which is printed in the Minutes of Assembly) there can be no doubt but that it would be greatly to the Interest of the Province to encourage the raising of that Article. I cannot therefore but recommend it as a Matter worthy of your particular Attention; and for the same Reason, I must likewise request that you would continue the Bounty on Flax and Hemp, which is near expiring, and grant others on the making of Wines and Pot Ash in this Colony.

In providing for the Support of Government, I would wish you to Consider how greatly inadequate the usual Salaries allowed the Publick Officers of this Province are to the

increased Expences of living, and to the increased Abilities of the Inhabitants since the time they were first Established. An ill-judged Parsimony has hitherto prevailed in this Respect; but I should think myself greatly wanting in Real Regard for the Province if I did not warn you at this time against a Conduct the continuance of which will most probably be found to be as impolitick as it is unbecoming the Honour of the Province you Represent. On this Head I am to inform you that it has been signified to me that the Chief Justice having been under a necessity of representing the Insufficiency of his Support to the King, "His Majesty "has been graciously pleased to give him an Adequate Salary, "which Mark of His Majesty's Attention to the Dignity and "Independence of that Officer, it is hoped will give great "Satisfaction; and as it is His Majesty's Pleasure that he "should no longer accept any allowance from the Assembly, "the Province will be relieved from any further Expence on "Account of that Establishment."

Gentlemen of the Council, and Gentlemen of the General Assembly

I have now only to express my wishes that an uninterrupted Harmony and good understanding may prevail in all your deliberations for the publick welfare, and to Assure you that you shall ever find me ready to exert myself to the utmost in whatever may best promote the true interest of this Colony.

Council Chamber
August 20th 1772

Wm Franklin

The House continued till tomorrow

Friday August 21st The House met

Present

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.

His Excellency's Speech to both Houses being read

Ordered, that Lord Stirling, M^{r} Stevens and M^{r} Parker be a Committee to prepare and bring in a Draught of an Address to his Excellency in Answer thereto.

The House continued till tomorrow

Saturday August 22^{d} The House met

Present

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.

The House continued till Monday

Monday August 24th The House met

Present

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.

The House continued till tomorrow

Tuesday August 25th The House Met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	Stephen Skinner Esq.
The Earl of Stirling	John Lawrence Esq.

Lord Stirling from the Committee appointed to prepare the Draught of An Address to his Excellency in Answer to his Speech at the Opening of this Session, reported that the said Committee had prepared a Draught of an Address which he was ready to report when the House would be pleased to receive the same

Ordered that the said Report be made immediately

Whereupon his Lordship read the said Draught in his Place and Delivered it in at the Table

The Draught of an Address to his Excellency being read the Second time.

On the Question

Resolved, that the House do Approve of the said Address.

Ordered, that the same be Engrossed.

A Message from the House of Assembly by Mr Dey and Mr Winds in the words following

"Ordered that Mr Hinchman, Mr Tucker, Mr Taylor Mr "Price, Mr Holmes, and Mr Vanhorne, or any three of them, "be a Committee to adjust all Publick Accounts which may "come before the House this Session, and to meet a Com- "mittee of the Council to settle the Province Lottery "Account. Ordered that Mr Dey and Mr Winds do inform "the Council thereof and desire they will appoint a Com- "mittee for that purpose together with the time and Place of "meeting."

Ordered that Mr Stevens, Mr Stockton and Mr Coxe or any two of them be a Committee to meet a Committee of the House of Assembly to Adjust all Publick Accts which may come before the House this Session, and also to settle the Province Lottery Accounts. that the said Committees do meet for the purposes aforesaid at the House of Elijah Dunham on Thursday next at four o'clock in the Afternoon, and that Mr Skinner do acquaint the House of Assembly therewith.

A Message from the House of Assembly in the words following.

"Ordered that Mr Fisher Mr Hinchman. Mr Gibbon Mr "Hewlings, Mr Moores, and Mr Pettit, or any three of them "be a Committee to join a Committee of the Council to "settle the Eastern Treasurer's Accounts and burn the Can- "celled Money in his hands and make report to the House. "Ordered that Mr Dey and Mr Winds do inform the Council

"thereof and desire them to appoint a Committee for that "purpose together with the time and place of Meeting.

Ordered that Mr Ogden Mr Stevens, and Mr Lawrence or any two of them be a Committee to meet a Committee of the House of Assembly to settle the Accts of the Eastern Treasurer and burn the Cancelled Money in his Hand, and make Report thereof to this House and that the said Committees do meet for the purposes aforesaid at the said Treasurers House on Thursday next at ten o'Clock A. M.

Ordered that Mr Skinner do acquaint the House of Assembly therewith

Mr Hinchman and Mr Hewlings from the House of Assembly presented for the Concurrence of this House a Bill intituled "A Supplementary Act to An Act intituled An Act to enable the Owners and Possessors of the Meadows and Swamp on a Branch of Alloways Creek to keep up and maintain the Banks Dams &c in said Meadows &c" which was read the first time and ordered a second Reading.

The House Continued till tomorrow

Wednesday August 26th The House met

Present

Peter Kemble Esq.	Richard Stockton Esq.
David Ogden Esq.	Stephen Skinner Esq.
The Earl of Stirling	Daniel Coxe Esq.
John Stevens Esq.	John Lawrence Esq.
James Parker Esq.	

Mr Skinner reported that he had obeyed the Order of the House of yesterday

The Engrossed Address to his Excellency in Answer to his speech at the Opening of this Session being read and compared

Ordered that the Speaker do sign the same

His Excellency came into the Council Chamber and having

by the Deputy Secretary commanded the Attendance of the House of Assembly, the Speaker with the House attended.

His Excellency having signified to the Council that he was ready to receive their Address, the House waited upon His Excellency and by their Speaker delivered their address in the following words.

To His Excellency William Franklin Esq^{r} Captain General Governor and Commander in Chief in and over the Province of New Jersey and Territories thereon depending in America, Chancellor and Vice Admiral in the same &^{ca}

The Humble Address of His Majesty's Council for the said Province.

May it Please your Excellency

We sincerely thank your Excellency for your Speech at the Opening of this Session

The Addition which, by His Majesty's gracious Allowance has lately been made to the number of Representatives of the People of this Province, is another signal Instance of his Paternal Attention to their welfare. A full and equal Representation of all the different parts of the Province must, on the best Constitutional Principles, be esteemed a most valuable Priviledge; and its being so readily granted on the first Representation of the Situation of our three new Counties sufficiently Evinces our most gracious Sovereign's desire that his American Subjects may enjoy the Benefits of that best of Constitutions. Many Schemes of publick Utility have been too long, and too much neglected, it is our most ardent Wish to see every part of the Colony united in promoting its general Interest, and We hope this Event may be a means of effecting it.

Wherever so fatal a Sentiment, as that which your Excellency mentions generally prevails, it will be impossible to do anything for the publick good: it is on the Contrary a most certain Truth that whatever Measures promote the Advantage of any parts of the Province will ultimately benefit the whole.

A due attention to this truth is the Foundation of publick Spirit and all real Patriotism, and would soon shew forth the natural Advantages with which this Province is eminently blessed. It's Trade would Flourish, the Roads on which the Improvement of the Country greatly depends would be in thorough Repair; substantial Bridges and all the Necessary publick Buildings would rise up without any Mans feeling Cause to Complain of the Expence, the happy People would increase in numbers and in Riches.

Your Excellency may be assured that Nothing will give us more real and satisfactory Pleasure than to concur in any Measures which will promote the true Interest of this Colony, and that We will use every means in our Power to promote that Harmony and good Understanding which your Excellency has so wisely and properly recommended in your Speech.

Council Chamber By Order of the House
August 26th 1772 PETER KEMBLE Speaker

To which his Excellency was pleased to return the following Answer.

Gentlemen,

I return you my very sincere Thanks for this obliging Address.

The grateful Sense you Express of His Majesty's Allowance of Members to the three new Counties, and the disposition you manifest for promoting the true Interest of the Colony, cannot but be highly acceptable to His Majesty as well as particularly agreeable to Me. I am fully convinced, Gentlemen, that if the extention of our Commerce and the general Improvement of the Country, had depended on your Resolution, it would have been long since unnecessary for a Governor to have recommended Matters of that kind to the Legislature.

After which the House of Assembly by their Speaker presented their address to his Excellency in the following words.

To His Excellency William Franklin Esq. Captain General and Governor in Chief in and over the Colony of New Jersey and Territories thereon depending in America, Chancellor, and Vice Admiral in the same.

The humble Address of the Representatives of the said Colony in general Assembly met.

May it please your Excellency

We His Majesty's Dutiful and Loyal Subjects the Representatives of the Colony of New Jersey in general Assembly convened, truly sensible of the Advantages resulting to the good People of the Colony by His Majesty's gracious allowance of the Act for enlarging the number of Representatives, receive your Excellency's Congratulations with great Pleasure, and rejoice at this fresh Instance of the Kings Paternal Regard to us.

Whenever any Schemes are recommended to the House, the Utility of which appears more than Adequate to the Charge of an Experiment and such as the Ability of the Colony will admit of We hope your Excellency will find the present Assembly ever ready to consult the true Interest of the Colony, and to exert themselves in promoting every Salutary Measure.

Fully determined to consider the general welfare of the Colony without injurious attachments to any part, the fatal Sentiment, which your Excellency is pleased to say hath too much prevailed in the Province, We think will find no place in our House, and We flatter ourselves that our future Conduct will evince our Inclinations, to be Correspondent with our present profession.

As the Act mentioned by your Excellency to have passed the legislature for the raising a Bounty on Flax, Hemp, and Mulberry Trees, as far as it regards the two first, which We conceive to be the most Material Objects of our Notice and Encouragement, will not expire untill the End of the Session of Assembly to be held after October next. We think it

unnecessary at this time to bestow our Attention on it, but must leave it to the Care of a future Session, and as the Bounty on the last hath been never applied for, We apprehend no Detriment will likely ensue to the Colony, by postponing it at least for the present. Whether the Province is in such a Situation as to enlarge the number of our Bounties, We have not formed an Opinion, but will take the same into our Deliberation.

When We Consider the small extent of the Colony, that we are behind all others in Trade, and so deficient in the principal Source from whence Opulence is derived; When we consider that almost every officer here is dependant on the Will and Pleasure of the Crown (tho' the goodness and regard we have experienced from our most gracious Sovereign induces us to hope, that such Power will not be exerted to the disadvantage of the Colony,) We cannot agree with your Excellency, that the Salaries of the Officers of this Government, are greatly inadequate to the Purposes for which they were given, some we imagine equal to the Dignity of the Station, and others proportionate to the Interest we have in them.

Warmly attached to the August Monarch who presides over us by affection, as well as principle, conscious of the Excellency of the Constitution under which We in part enjoy the liberty and priviledges of British Subjects, and earnestly Solicitous to preserve all, unaffected and unprejudiced We trust your Excellency will find us not only chearfully disposed to shew our Gratitude and loyalty to the one, but also fully determined to pay a proper Attention and carefully to maintain ourselves in the other. We heartily rejoice to find your Excellency possessed of the Importance of the Harmony you so kindly wish, and as we are fully resolved to take every method to cultivate a good understanding between the several Branches of the legislature, so we hope we shall find each ready to concur with us in the Adoption of every Salutary Measure to preserve what appears so necessary to

the welfare of the People we represent, and at the same time that we sincerely thank your Excellency for the Assurance that We shall find you ready to exert yourself to the utmost in whatever may promote the true Interest of the Colony, we do assure you that you will always find us disposed to support the Government with Honour, whilst the methods naturally to be expected from that inclination are continued to obtain the Regard and Affection of the People.

House of Assembly } By Order of the House
August 26. 1772 } CORTL[d] SKINNER Speaker

Sundry of the Members being of the people called Quakers agreed to the Substance with the usual exception to the Stile.

To which His Excellency was pleased to return the following Answer.

Gentlemen,

I am glad to find you so truly sensible of His Majesty's goodness in allowing an Additional Number of Representatives.

If any of the Schemes which I have recommended to your House are either not adequate to the Charge of an Experiment, or beyond the Ability of the Colony, you are certainly right in rejecting them. I did flatter myself, indeed that the Encouragement of Trade, the making of Roads, the Erecting of Bridges and suitable publick Buildings, and the granting Bounties to promote the raising of sundry valuable Kinds of Produce would at least be deemed "Salutary Measures" worthy of a Trial, and within our Power. The only Motive I could have in recommending these Matters to your Attention was the publick Good; and if it is not agreeable to you to Adopt all or any of them, I have only to say that I am ready to co-operate with you in promoting any others which may be thought more likely to answer that desireable purpose. All I wish is to have the Province roused, by some means or other, from that Lethargic Stupor which has hitherto benumed

its best Faculties, and prevented it from improving those Advantages which it has received from God and Nature.

As you acknowledge you are "behind all others in Trade, "and that Trade is the principal Source from whence Oppu- "lence is derived" I shall hope that you will pay due Attention to that object.

This Colony is by no means so much Inferior to the adjacent Provinces, either in Extent or Oppulence, as is the support allowed to the publick Officers of Government, and they hold their Offices by the same or the like Tenor in this Province as they do in the others: Your Suggestion therefore that the "Salaries are not inadequate, and that you imagine "some of them equal to the Dignity of the Station, and "others proportionate to the Interest you have in them," needs no Comment It is a notorious Fact that none of them are proportionate to the Ability of the Province, and that most of them are so extremely low that they would be thought a Disgrace to any other Colony on the Continent. However when I mentioned this Subject to you in my Speech, it was not so much with an Expectation of your deviating from the Example of your Predecessors in the Assembly, as to guard against any Reflections that might hereafter be cast on me for not having duly apprised you of the ill Consequences which would probably ensue from a Continuance of the like Conduct.

Your professions of attachment to His Majesty, and your Resolution to Cultivate a good Understanding between the Several Branches of the legislature are very commendable. And as I am convinced that neither my Inclinations nor Endeavours to deserve and "obtain the Regard and Affection of the People" will ever be wanting, so I shall rely with Confidence on your kind Assurances that I shall always find you disposed to Support the Government with *Honour*.

Council Chamber
August 26. 1772

The House continued till tomorrow

Thursday August 27th The House met.

Present

Peter Kemble Esq.	Richard Stockton Esq.
David Ogden Esq.	Stephen Skinner Esq.
The Earl of Stirling	Daniel Coxe Esq.
John Stevens Esq.	John Lawrence Esq.
James Parker Esq.	

The Bill intituled "A Supplementary Act to An Act intituled An Act to Enable the Owners and Possessors of the Meadows and Swamps lying on a Small Branch of Alloways Creek in the County of Salem to keep up and maintain the Dams &c" was read the second time and ordered a third reading.

The House continued till to morrow

Friday August 28th The House met

Present

Peter Kemble Esq.	Richard Stockton Esq.
David Ogden Esq.	Stephen Skinner Esq.
The Earl of Stirling	Daniel Coxe Esq.
John Stevens Esq.	John Lawrence Esq.
James Parker Esq.	

Mr Paxson and Mr Gibbon from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to prohibit the Importation of Persons into this "Colony who have been Convicted of Crimes &c which was read the first time and ordered a second reading.

Mr Tucker and Mr Garrison from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to prevent the Exportation of unmerchantable flour to Foreign Markets" which was read the first time and ordered a second reading.

Mr Kinsey and Mr Sykes from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Enable the Owners of Meadows on Assiscunk Creek to Erect and maintain a Bank Dam" &c which was read the first time and ordered a second reading.

The House continued till tomorrow

Saturday August 29th The House met

Present

Peter Kemble Esqr	Richard Stockton Esq.
David Ogden Esq.	Stephen Skinner Esq
The Earl of Stirling	Daniel Coxe Esq.
John Stevens Esq.	John Lawrence Esq.
James Parker Esq.	

Mr Tucker and Mr Roy from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Naturalize John George Felthauzen" which was read the first time and ordered a Second reading.

The House continued till Monday

Monday August 31st The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	John Lawrence Esq.

Mr Fisher and Mr Paxson from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to enable the Owners of the Meadows Swamps and low lands on the Rivers Pasaick and Dead River, to clear the same and remove every obstruction to the free Passage of

the Waters from the Saw Mill formerly belonging to Samuel Woodruff Esq. deceased up the stream of the said River Pasaick to the Mill known by the name of Boyle's Mill, and up said Dead River to the Bridge commonly called and known by the name of Grant's Bridge." A Bill intituled "An Act to Suppress Fairs in the City of Burlington." A Bill intituled a Supplementary Act to An Act intituled An Act to regulate the Fishery within that part of the Eastern Division of this Colony from the Mouth of Rariton River Northward." And a Bill intituled "An Act to enable Sundry of the Owners and Possessors of Meadows and Tide Marsh lying on English's Creek in the County of Burlington, to Erect and maintain a Bank Dam and other Water Works across the said Creek in order to prevent Tide from overflowing the same, and to keep the former Water Course of said Creek open and clear, and to make the said Dam when Erected a publick landing."

Which said Bills were severally read the first time and ordered a Second reading.

The House continued till tomorrow

Tuesday September 1st The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	John Lawrence Esq.

The Bill intituled "An Act to naturalize John George Felthauzen" was read the second time and ordered a third reading.

The Bill intituled "An Act to Enable the Owners of the Meadows Swamps and low lands on the Rivers Pasaick and Dead River to clear the same and remove every obstruction

to the free Passage of the Waters" &c was read the second time and Committed to the Members of the Council or any three of them.

The Bill intituled "An Act to Suppress Fairs in the City of Burlington" was read the second time and committed to the Members of the Council or any three of them.

The Bill intituled "An Act to prevent the Exportation of unmerchantable Flour to Foreign Markets" was read the second time and Committed to the Members of the Council or any three of them.

The Bill intituled "a Supplementary Act to An Act intituled An Act to regulate the Fishery in that part of the Eastern Division of this Colony from the Mouth of Rariton River Northward" was read the second time and ordered a third reading.

The Bill intituled An Act to Enable Sundry of the Owners and Possessors of Meadows and Tide Marsh lying on English's Creek in the County of Burlington to Erect and Maintain a Bank Dam" &c, was read the second time and ordered a third reading.

The Bill intituled "An Act to prohibit the Importation of Convicts" &c, was read the second time and committed to the Members of the Council or any three of them.

The Bill intituled "An Act to Enable the Owners and Possessors of Meadows and Tide Marsh lying on Assisconk Creek within the Limits of the City of Burlington to Erect and maintain a Bank" &c, was read the second time and committed to the Members of the Council or any three of them.

The House continued till tomorrow

Wednesday September 2d The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	John Lawrence Esq.

The House continued till tomorrow

Thursday September 3d The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	John Lawrence Esq.

The House continued till tomorrow

Friday September 4th The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	John Lawrence Esq.

The Bill intituled "An Act to Naturalize John George Felthauzen" was read the third time, and

On the Question

Resolved that the said Bill do pass

Ordered, that the Speaker do sign the Same

Ordered, that Mr Lawrence do acquaint the House of Assembly therewith.

The Bill intituled a "Supplementary Act to An Act intituled An Act to regulate the Fishery within that part of the Eastern Division of this Colony from the Mouth of Rariton River Northward" was read the third time, and on the Question, whether the same do pass or not? it passed in the Negative.

Ordered that the said Bill do lie on the Table.

The Bill intituled "An Act to Enable Sundry of the Owners and Possessors of Meadows and Tide Marsh lying on English's Creek in the County of Burlington to Erect and maintain a Bank Dam and other Water Works &c, was read the third time, and

On the Question

Resolved that the same do pass

Ordered that the Speaker do sign the same

Ordered, that Mr Lawrence do acquaint the House of Assembly therewith.

Mr Stockton from the Committee to whom was referred the Bill intituled "An Act to Suppress Fairs in the City of Burlington" reported that the said Committee had gone through the said Bill and made Several Amendments therein and also an Amendmt to the Title of the said Bill, which he was ready to report when the House would be Pleased to receive the same.

Ordered that the said Report be made immediately

Whereupon Mr Stockton read the said Amendments in his Place and delivered them in at the Table.—and the same being read a second time were approved of by the House.

The Bill intituled "An Act to Suppress Fairs in the City of Burlington" was read the third time with the Amendments in their Places, and

On the Question

Resolved that the said Bill as Amended do pass

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered that Mr Lawrence do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence in the said Amendments.

Mr Lawrence reported that he had obeyed the foregoing Orders of the House

Mr Coxe with leave of the House brought in a Bill intituled "An Act to preserve the Right of private Fishing to those owning and possessing Lands lying and bordering upon the Several Rivers Creeks and Bays within this Colony" which was read the first time and ordered a second reading.

The House Continued till tomorrow

Saturday September 5th The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	John Lawrence Esq.

Mr Ford and Mr Gibbons from the House of Assembly brought back the Bill intituled "An Act to prevent the holding of Fairs in the Province of New Jersey" re-ingrossed with the Amendments of this House.

Which re-ingrossed Bill being read and compared

Ordered that the Speaker do sign the same

Mr Stevens from the Committee to whom was referred the Bill intituled "An Act to prohibit the Importation of Persons into this Colony from the Neighbouring Governments who have been Convicted of Felony" reported that the said Committee had gone through the said Bill and made sundry Amendments therein, and also one Amendment to the Title which he was ready to report when the House would be Pleased to receive the same.

Ordered that the said Report be made immediately

Whereupon Mr Stevens read the said Amendments in his place and delivered them in at the Table, and the same being again read were approved of by the House.

The Bill intituled "An Act to prohibit the Importation of Persons into this Colony from the Neighbouring Governments who have been Convicted of Felony" was read the third time, with the Amendments in their Places, and

On the Question

Resolved, that the said Bill as Amended do pass

Ordered, that the Speaker do sign the same.

Ordered, that Mr Parker do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence in the said Amendments

The House continued till Monday

Monday September 7th The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	John Lawrence Esq.

Mr Kinsey and Mr Mehelm from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the Relief of Richard Stevens with respect to the Imprisonment of his Person" which was read the first time and ordered a second reading.

Mr Parker from the Committee to whom was referred the Bill intituled "An Act to enable the Owners of the Meadows Swamps and low lands on the Rivers Pasaick and Dead River to Clear the same" &c, reported that the said Committee had gone through the said Bill and made sundry Amendments

therein, which he was ready to report when the House would be pleased to receive the same.

Ordered that the said Report be made immediately.

Whereupon Mr Parker read the said Amendments in his Place and delivered them in at the Table.—and the same being again read were approved of by the House.

The Bill intituled "An Act to Enable the Owners of the Meadows Swamps and Low Lands on the Rivers Passaick and Dead River to clear the same and remove every obstruction to the free Passage of the Waters from the Saw Mill formerly belonging to Samuel Woodruff Esq. deceased up the Stream of the said River Passaic to the Mill known by the name of Boyle's Mill, and up the said Dead River to the Bridge commonly called and known by the name of Grant's Bridge" was read the third time with the Amendments in their Places, and

On the Question

Resolved, that the said Bill as Amended do pass.

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered, that Mr Parker do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence in the said Amendments.

The Bill intituled "An Act for the Relief of Richard Stevens with respect to the Imprisonment of his Person" was read the second time and Committed to the Members of the Council or any three of them.

Sundry Petitions from a great Number of Inhabitants in divers Counties in this Province praying that a Law may be passed to regulate the Practice of Physick were read.

Whereupon on Motion of Lord Stirling, Ordered that the Petitioners have leave to bring in a Bill agreeably to the Prayer of the said Petitions.

Mr Parker reported that he had Obeyed the Order of the House.

The House continued till tomorrow

Tuesday September 8th The House met.

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner, Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	John Lawrence Esq.

Mr Stevens from the Committee appointed to meet a Committee of the House of Assembly to settle the Accounts of the Eastern Treasurer and burn the Cancelled Money in his Hands, reported that the said Committees had met according to Appointment, and Stated and settled the said Treasurers Accounts, and burned the Cancelled Money in his Hands, which Accounts he was ready to report when the House would be pleased to receive the same.

Ordered that the said Report be made immediately.

Whereupon Mr Stevens read the said Accounts in his Place and delivered them in at the Table, and the same being again read

Resolved, that the House do approve thereof

Ordered, that the said Accounts be inserted at Length in the Journals of the House

D^r Stephen Skinner his Acc^t Current w^th the Province of N. Jersey C^r

To Ballance of Acc^t settled by the Committees Octo^r 22^d 1770 including the sum of £6570 „ 9 „ 4 Stolen from the Treasury the 21^st July 1768....		10072 „ 9 „ 10¾	By the Amo't of Sundry Vouchers on Acc^t of Support of Government and War Fund.....		3848 „ 19 „ 5
			Ballance due to the Province....		6711 „ 18 „ 8¾
1770					
Decemr 14th To Cash receed of Jno Arrison by the Hands of Cortland Skinner	49 „ 7 „ 0				
1772 Jan^y 8^th					
To Cash receed of Jno Arrison by the hands of Cortd Skinner	60 „ 0 „ 0				
To Cash receed of Jno Stevens on Acct of the Rations for the Provincials.....	219 „ 1 „ 3				
To Cash receed of Gabriel Ogden in part of John Ogdens Debt.....	160 „ 0 „ 0				
		488 „ 8 „ 3			
		£10560 „ 18 „ 1¾			£10560 „ 18 „ 1¾

N B. The Treasurer besides the above Ballance has in his Hands Bonds and Mortgages to the Amount of £4359 „ 14 „ 11¾ w^ch w^th the Interest due thereon are outstanding Debts on Acc^ot of the Parliamentary Donation.

Perth Amboy September 7^th 1772

By Order of the Committees

Jn° Stevens

Hend^k Fisher

D[r] Stephen Skinner on Account Sinking Fund C[r]

1770 Octo[r] 22[d]		By Current Bills of Credit cancelled by the Justices & Freeholders of Middlesex as by their Certificate in May 1769 and burned by the Committees.....	4361 „ 13 „ 0
To Ballance of Acc[t] settled this day.....	3644 „ 16 „ 11		
To Cash receed of the County of Middx deficiency of 1769.. 419 „ 5 „ 7			
To do receed of Monmouth deficiency 1769..... 297 „ 10 „ 4	716 „ 15 „ 11	By Current Bills of Credit cancelled by the Justices & Freeholders as by their Certificate in 1772 in part of the Tax for 1770 and burned by the Committees.....	3479 „ 3 „ 6
To the sinking Fund Tax directed to be raised for the year 1770, Viz[t]			
Bergen.....£830 „ 10 „ 0			
Essex..... 928 „ 14 „ 0			
Middlesex..... 1090 „ 8 „ 0			
Monmouth..... 1336 „ 8 „ 0			
Somerset..... 1130 „ 2 „ 0			
Morris..... 904 „ 5 „ 0	6220 „ 7 „ 0	By sundry deficiencies of Taxes not paid in, viz[t]	
To Sinking Fund Tax directed to be raised for the year 1771, viz[t]		Somerset..£78 „ 13 „ 5	
Bergen.....£830 „ 10 „ 0		Middlesex 654 „ 16 „ 0	
Essex..... 928 „ 14 „ 0		Monmouth 243 „ 17 „ 8	
Middlesex..... 1090 „ 8 „ 0			997 „ 7 „ 1
Monmouth..... 1336 „ 8 „ 0		Ballance	7984 „ 3 „ 3
Somerset..... 1130 „ 2 „ 0			
Morris..... 904 „ 5 „ 0	6220 „ 7 „ 0		
	£16802 „ 6 „ 10		£16802 „ 6 „ 10

Errors Excepted August 29[th] 1772
By Order of the Committees
Jn° Stevens
Hend[k] Fisher

M[r] Tucker and M[r] Sheppard from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the Relief of Benjamin Ayars now in the Gaol

of the County of Cumberland" which was read the first time and ordered a second reading.

Mr Hewlings and Mr Elmer from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to prevent abuse in Packing of Beef and Pork and ascertaining the Size of Casks and Quantity that shall be put into each Barrell," which was read the first time and ordered a second reading.

Mr Skinner from the Committee to whom was referred the Bill intituled "An Act to prevent the Exportation of un-" merchantable Flour to Foreign Markets," reported that the said Committee had gone through the same and made sundry Amendments thereto which he was ready to report when the House would be pleased to receive the same.

Ordered that the Said Report be made immediately

Whereupon Mr Skinner read the said Amendments in his Place and delivered them in at the Table.

The said Amendments being again read were approved of by the House

The Bill intituled "An Act to prevent the exportation of unmerchantable Flour to Foreign Markets" was read the third time with the Amendments in their places and,

On the Question

Resolved, that the said Bill as Amended do pass

Ordered, that the Speaker do sign the said Bill and Amendments

Ordered that Mr Stockton do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence in the said Amendments

Mr Lawrence from the Committee to whom was referred the Bill intituled "An Act to Enable the Owners and Possessors of the Meadows and Tide Marsh lying in Assisconk Creek" &c. reported that the said Committees had gone thro' the said Bill and made sundry Amendments thereto which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately

Whereupon Mr Lawrence read the said Amendments in his Place and delivered them in at the Table.

The said Amendments being again read were approved of by the House.

The Bill intituled "An Act to Enable the Owners and Possessors of Meadows and Tide Marsh lying on Assisconk Creek" &ca was read the third time with the Amendments in their places, and

On the Question

Resolved that the said Bill as Amended do pass.

Ordered, that the Speaker do sign the said Bill and Amendments

Ordered, that Mr Stockton do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence in the said Amendments.

The Bill intituled "An Act for the Relief of Benjamin Ayars" &c, was read the second time and ordered a third reading.

The Bill intituled "An Act to prevent Abuses in the Packing of Beef and Pork" &c was read the second time and Committed to the Members of the Council or any three of them.

Mr Read from the Committee to whom was referred the Bill intituled "An Act for the Relief of Richard Stevens" &c reported that the said Committee had gone through the same and that he was ready to Report the said Bill when the House would be pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Read reported the said Bill without any Amendment.

The Bill intituled "An Act for the Relief of Richard Stevens with respect to the Imprisonment of his Person" was read the third time, and

On the Question,

Resolved, that the Same do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Stockton do acquaint the House of Assembly therewith.

Mr Skinner from the Committee to whom was referred the Bill intituled a "Supplementary Act to An Act intituled An Act to Enable the Owners and Possessors of the Meadows and Swamps lying on a Small Branch of Alloways Creek" &c, reported that the said Committee had gone thro the same which he was ready to report when the House would be pleased to receive the same.

Ordered, that the said Report be made immediately

Whereupon Mr Skinner reported the said Bill without any Amendments.

The Bill intituled "a Supplementary Act to An Act intituled "An Act to Enable the Owners and Possessors of the Meadows and Swamps lying on a Small Branch of Alloways Creek" &c, was read the third time, and

On the Question

Resolved that the same do pass

Ordered, that the Speaker do sign the same

Ordered. That Mr Stockton do acquaint the House of Assembly therewith

The Bill intituled An Act to preserve the Right of private Fishing" &c. was read the Second time and committed to the Members of the Council or any three of them.

The House continued till to morrow

Wednesday September 9th The House met.

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	John Lawrence Esq.

M^r Kinsey and M^r Holmes from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to take the Examination of a departing Witness." Also a Bill intituled "An Act for making Process in Courts of Equity more effectual against Mortgagors" &^c Which Bills were severally read the first time and ordered a second reading.

M^r Stockton reported that he had Obeyed the Order of the House of Yesterday

Lord Stirling with leave of the House brought in a Bill intituled "An Act to regulate the Practice of Physic and Surgery within the Colony of New Jersey" Which was read the first time and ordered a second reading.

M^r Ford and M^r Roy from the House of Assembly brought back the Bill intituled "An Act to Enable the Proprietors and Possessors of the Meadows Swamps and low lands in the Rivers Pasaick and Dead River to clear the same" &c. reingrossed with the Amendm^ts of this House. Which reingrossed Bill being read and compared

Ordered, that the Speaker do sign the same

A Message from the House of Assembly in the following words, viz^t

"The Bill intituled "An Act to prevent the Exportation of unmerchantable Flour to Foreign Markets" was read with the Council's Amendments in their Places."

"Ordered that M^r Mehelm and M^r Taylor do carry back "the said Bill to the Council and inform them that the "House agrees to all the Amendments made by the Council, "except the Amendment in the 14^th line of the 4^th Section as "to which the House disagrees, and therein adheres to the "Bill." Which being Considered by this House

On the Question

Resolved that the House do recede from the Amendment above excepted to by the House of Assembly.

Ordered that M^r Judge Read do carry the said Bill to the House of Assembly and acquaint them therewith.

Mr Read informed the House he had Obeyed the above Order.

The Bill intituled "An Act for taking the Examination of "a departing Witness" was read the Second time and committed to the Members of the Council or any three of them.

Mr Stockton from the Committee to whom was referred the Bill intituled "An Act to preserve the right of private Fishing to those owning and possessing Lands lying and being upon the Several Rivers Creeks and Bays within this Colony" reported that the said Committee had gone through the same and made sundry Amendments thereto which he was ready to Report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately

Whereupon Mr Stockton read the said Amendments in his Place and delivered them in at the Table.

The said Amendments being again read were approved of by the House.

The Bill intituled "An Act to preserve the right of private Fishing to those owning and possessing Lands lying and being upon the Several Rivers Creeks and Bays within this Colony" being read the third time with the Amendments in their Places.

Ordered, that the said Bill as Amended be Engrossed.

Mr Hinchman and Mr Sykes from the House of Assembly brought up to this House the Bill intituled "An Act to prohibit the Importation of Persons into this Colony from any of the Neighbouring Governments who have been Convicted of Felony" re-ingrossed with the Amendments made thereto by this House.

Which re-ingrossed Bill being read and compared.

Ordered that the Speaker do sign the Same.

The Bill intituled "An Act to take the Examination of a departing Witness" was read the Second time and committed to the Members of the Council or any three of them.

The Bill intituled "An Act to regulate the Practice of

Physick and Surgery" was read the Second time and committed to the Members of the Council or any three of them.

The Bill intituled "An Act for making Process in Courts of Equity effectual against Mortgagors who abscond" &c was read the Second time and committed to the Members of the Council or any three of them.

The House continued till tomorrow

Thursday September 10th The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	John Lawrence Esq.

Mr Kinsey and Mr Pettit from the House of Assembly brought up the Bill re-ingrossed with the Amendments of this House intituled "An Act to Enable the Owners and Possessors of Meadows and Tide Marsh lying on Assisconk Creek within the limits of the City of Burlington to Erect & maintain a Bank Dam &c." signed by the Speaker of the House of Assembly. Which re-engrossed Bill being read and compared

Ordered, that the Speaker do Sign the same

Mr Lawrence had leave of Absense

The House continued till tomorrow

Friday September 11th The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	

Mr Price and Mr Hand from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for returning able and sufficient Jurors and for the better Regulation of Juries," which was read the first time and ordered a Second reading.

Mr Fisher and Mr Mehelm from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for raising the Sum of four hundred and fifty Pounds on the Inhabitants of Middlesex and Somerset for compleating the Bridge over Rariton at the Landing" And the Bill intituled "A Supplementary Act to An Act intituled An Act to Impower certain Persons therein named to raise a sum of Money by Subscription or Taxation to rebuild and keep in repair the Bridge over Rariton called Queens Bridge." Which Bills were read the first time and severally ordered a Second reading.

Mr Lawrence and Mr Winds from the House of Assembly brought up to this House the Bill intituled "An Act to prevent the Exportation of unmerchantable Flour to Foreign Markets" reingrossed with the Amendments agreed upon by both Houses, which re-ingrossed Bill being read and compared

Ordered, that the Speaker do sign the same.

Mr Coxe from the Committee to whom was referred the Bill intituled "An Act to take the Examination of a departing Witness" reported that the said Committee had gone through the said Bill and made sundry Amendments thereto, and an Amendment to the Title thereof which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately

Whereupon Mr Coxe read the said Amendments in his Place and delivered them in at the Table.

The Said Amendments being again read were approved of by the House.

The Bill intituled "An Act to take the Examination of a

departing Witness" was read the third time with the Amendments in their Places, and

On the Question

Resolved. that the said Bill as Amended do pass.

Ordered, that the Speaker do sign the same.

Ordered, that Mr Coxe do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence in the said Amendments.

The re-ingrossed Bill intituled "An Act to preserve the right of private Fishing to those owning and possessing Lands lying and being on the several Creeks & Bays within this Colony" having been read and Compared.

Ordered, that the Speaker do sign the same

Ordered, that Mr Coxe do carry the said Bill to the House of Assembly and desire their Concurrence in the same.

Mr Coxe reported that he had obeyed the foregoing Orders.

The Governor having signified to this House by the Deputy Secretary that he cannot give his Assent to a Bill which he is informed has passed the other two Branches of the Legislature intituled "An Act to prevent the holding of Fairs in the Province of New Jersey" Mr Stockton with leave of the House brought in a Bill intituled "An Act to prevent the holding of Fairs in the City of Burlington, Princeton and Township of Windsor," which was read the first time and ordered a second reading.

The House continued till tomorrow

Saturday September 12th The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	

A Message from the House of Assembly by Mr Kinsey and Mr Gibbon in the Words following:

"Ordered that Mr Kinsey and Mr Gibbon do carry to the "Council the Bill intituled "An Act to take the Examina- "tion of a departing Witness" and inform them that this "House disagrees to the Amendments made thereto by the "Council and adhere to the Bill."

The House having taken the said Message into Consideration.

Ordered, that the said Bill do lie on the Table

The Bill intituled "An Act for returning able and sufficient Jurors, and for the better regulation of Juries" was read the second time and ordered a third reading.

The Bill intituled "An Act for raising the Sum of four hundred and fifty Pounds proclamation on the Inhabitants of the Counties of Middlesex and Somerset &c." was read the second time and ordered a third reading.

The Bill intituled a "Supplementary Act to An Act intituled An Act to impower certain Persons therein named to raise a sum of Money by Subscription or by Taxation to rebuild and keep in repair the Bridge over Rariton River near Bound Brook" &c was read the second time and committed to the Members of this House or any three of them.

The Bill intituled "An Act to prevent the holding of Fairs in the City of Burlington, Princeton, and Township of Windsor was read the Second time and ordered a third reading

Mr Fisher and Mr Ford from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Enable all persons who are his Majesty's Liege Subjects either by Birth or Naturalization to inherit and hold Real Estates notwithstanding any defect of Purchases made before naturalization within this Colony," And a Bill intituled "An Act for the better preservation of Deer in the Township of Morris," Which Bills were severally read the first time and ordered a second reading.

The House continued till Monday

Monday September 14th The House met.

Present

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	

The House continued till tomorrow

Tuesday September 15th The House met

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	

The Bill intituled "An Act for the Relief of Benjamin Ayars now a Prisoner in the Gaol of the County of Cumberland" was read the third time, and

On the Question

Resolved that the same do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Skinner do acquaint the House of Assembly therewith.

The Bill intituled "An Act to prevent the holding of Fairs in the City of Burlington, Princeton, and Township of Windsor" was read the third time and ordered to be engrossed.

Mr Dey and Mr Garretse from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Enable certain Persons to Erect and Draw a Lottery for raising One thousand and fifty Pounds to be applied for the Purposes therein mentioned," Which was read the first time and Ordered a second reading.

The Bill intituled "An Act to Enable all Persons who are his Majesty's Liege Subjects either by Birth or Naturaliza-

tion to inherit and hold real Estates" &c was read the second time and ordered a third reading.

The Bill intituled "An Act for the Preservation of Deer in the Township of Morris" was read the second time and ordered a third reading.

Mr Parker from the Committee to whom was referred the Bill intituled "An Act to prevent Abuses in the Packing of Beef and Pork" &c reported that the said Committee had gone through the said Bill and made sundry Amendments thereto and an Amendment to the Title thereof, which he was ready to report when the House would be pleased to receive the same

Ordered, that the said Report be made immediately.

Whereupon Mr Parker read the said Amendments in his Place and delivered them in at the Table. and the same being again read were approved of by the House.

The Bill intituled "An Act to prevent Abuses in the Packing of Beef and Pork and ascertaining the Size of Casks and Quantity that shall be put in each Barrell" was read the third time with the Amendments in their places, and

On the Question

Resolved that the said Bill as Amended do pass.

Ordered that the Speaker do sign the said Bill and Amendments.

Ordered, that Mr Parker do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence in the said Amendments.

The Bill intituled An Act for raising the sum of four hundred and fifty Pounds proclamation money on the Inhabitants of the Counties of Somerset and Middlesex to be applied to the Compleating a Bridge over Rariton River at the Landing" was read the third time, and

On the Question

Resolved that the said Bill do pass.

Ordered, that the Speaker do Sign the same.

Ordered that Mr Skinner do acquaint the House of Assembly therewith

The engrossed Bill intituled "An Act to prevent the holding of Fairs in the City of Burlington. Princeton, and Township of Windsor" was read and compared. and On the Question

Resolved that the same do pass.

Ordered, that the Speaker do sign the same.

Ordered that Mr Parker do carry the said Bill to the House of Assembly for their Concurrence

The Bill intituled "A Supplementary Act to An Act intituled an Act to Impower certain Persons therein named to raise a sum of money by Subscription or by Taxation to rebuild and keep in Repair the Bridge over Rariton River near Bound Brook Known by the name of Queens Bridge" was read the third time, and

On the Question, Resolved &

Ordered, that the Speaker do sign the same

Ordered that Mr Skinner do acquaint the House of Assembly therewith.

The Bill intituled "An Act to regulate the Practice of Physick and Surgery" &cª was read the third time and ordered to be engrossed

Mr Parker from the Committee to whom was referred the Bill intituled "An Act for returning able and Sufficient Jurors and for the better regulation of Juries" reported that the Committee had gone thro' the said Bill which he was ready to Report when the House would be Pleased to receive the same

Ordered that the said Report be made immediately.

Whereupon Mr Parker reported the said Bill without any Amendment.

The Bill intituled "An Act for returning able and sufficient Jurors and for the better regulation of Juries" was read the third time, and on the Question whether the said Bill do pass or not?

Resolved in the Negative Nem. Con.

Ordered, that the said Bill do lie on the Table

Mr Fisher, Mr Wetherill, Mr Crane, Mr Kinsey, Mr Paxson, Mr Ford and Mr Lawrence from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the Support of Government &c" which was read the first time and ordered a second reading.

Mr Tucker and Mr Winds from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to dissolve the Marriage of David Baxter &c." which was read the first time and ordered a second reading.

The House continued till tomorrow

Wednesday September 16th The House met

Present

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	

The Engrossed Bill intituled "An Act to regulate the Practice of Physick and Surgery within the Colony of New Jersey" was read and compared, and

On the Question

Resolved, that the said Bill do pass

Ordered, that the Speaker do sign the same

Ordered that Lord Stirling do carry the said Bill to the House of Assembly for their Concurrence

The Bill intituled "An Act to dissolve the Marriage of David Baxter &c was read the Second time and committed to the Members of this House or any three of them

Lord Stirling reported that he had obeyed the Order of the House.

The Bill intituled "An Act for the Support of Government &c" was read the second time and committed to the members of this House or any three of them.

The Bill intituled "An Act to Enable all Persons who are

his Majesty's Leige Subjects either by Birth or Naturalization to inherit and hold Real Estates &ca was read the third time, and

On the Question,

Resolved that the same do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Coxe do acquaint the house of Assembly therewith.

The Bill intituled "An Act to enable certain Persons to Erect and draw a Lottery for raising the sum of One thousand and fifty Pounds &c" was read the second time and ordered a third reading

Mr. Coxe reported that he had obeyed the Orders of the House.

The Bill intituled "An Act for the better preservation of Deer in the Township of Morris" was read the third time, and

On the Question

Resolved that the said Bill do pass

Ordered, that the Speaker do sign the same

Ordered that Mr Skinner do acquaint the House of Assembly therewith.

Mr Skinner reported that he had obeyed the Order of the House.

Mr Parker from the Committee to whom was referred the Bill intituled "An Act to dissolve the marriage of David Baxter &c" reported that the said Committee had gone through the said Bill and made Sundry Amendmts thereto which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Parker read the said Amendments in his Place and delivered them in at the Table—and the same being again read were approved of by the House

The Bill intituled "An Act to dissolve the marriage of David Baxter with Margaret his Wife late Margaret McMurtrie" was read the third time with the Amendmts in their Places, and

On the Question

Resolved that the said Bill as Amended do pass.

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered, that Mr Parker do carry the said Bill and Amendments to the House of Assembly and desire their concurrence in the said Amendments

The House continued till tomorrow

Thursday September 17th The House met

Present

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	

Mr Stevens from the Committee to whom was referred the Bill intituled "An Act for making Process in Courts of Equity effectual against Mortgagors who abscond and cannot be served therewith, or who refuse to appear" reported that the said Committee had gone through the said Bill and that he was ready to report thereon when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Stevens Reported the said Bill without any Amendments.

The Bill intituled "An Act for making Process in the Courts of Equity effectual against Mortgagors who abscond &c" was read the third time, and

On the Question

Resolved, that the said Bill do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Stevens do acquaint the House of Assembly therewith.

Mr Sykes and Mr Moores from the House of Assembly

brought back the Bill intituled "An Act to prevent the holding of Fairs in the City of Burlington &c" passed by the House of Assembly and signed by their Speaker.

The Bill intituled "An Act to enable certain Persons to Erect and draw a Lottery for raising the sum of One thousand and fifty pounds to be applied for the purposes therein mentioned" was read the third time, and On the Question

Resolved that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Stevens do acquaint the House of Assembly therewith.

Mr Read from the Committee to whom was referred the Bill intituled "An Act for the Support of Government &c" reported that the Committee had gone thro' the said Bill and was ready to make Report thereon when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Read reported the said Bill without any Amendments.

The Bill intituled "An Act for the Support of Government &c" was read the third time, and

On the Question

Resolved, that the Same do pass

Ordered, that the Speaker do sign the same

Ordered that Mr Read do acquaint the House of Assembly therewith.

Mr Dey and Mr Ford from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for clearing and removing the several obstructions of the free Course of the Waters in Passaick River" &ca Which was read the first time and ordered a second reading.

Mr Taylor and Mr Sheppard from the House of Assembly brought up from thence the Bill intituled "An Act to prevent Abuses in the Packing of Beef and Pork" &c and the Bill intituled "An Act to dissolve the Marriage of David

Baxter" &c both re-ingrossed with the Amendments made by this House

Mr Read reported that he had obeyed the Order of the House.

The re-ingrossed Bill with the Amendments made by this House intituled "An Act to dissolve the Marriage of David Baxter with Margaret his Wife late Margaret McMurtrie" was read and compared.

Ordered, that the Speaker do sign the said Bill

The Bill reingrossed with the Amendments made by this House intituled "An Act to prevent Abuses in the Packing of Beef and Pork" was read and compared.

Ordered, that the Speaker do sign the said Bill

Mr Stevens reported that he had obeyed the Order of the House

Mr Gibbon and Mr Holme from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to enable the Owners and Possessors of a Tract of Marsh and Meadow at Elsinborough in the County of Salem &c" Which was read the first time and ordered a second reading.

Mr Moores and Mr Vanhorne from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for Inspecting and culling Staves &c" and for Inspecting and Measuring Corn Wheat &c exported from this Province beyond Sea," Which was read the first time and Ordered a Second reading.

The Bill intituled "An Act for clearing and removing the several Obstructions of the free Course of the Waters in Pasaick River &c" was read the Second time and committed to the Members of the Council or any three of them.

The Bill intituled "An Act to enable the Owners and Possessors of a Tract of Marsh and Meadow at Elsinborough in the County of Salem to uphold and maintain a certain Bank &c." was read the Second time and ordered a third reading.

The House continued till tomorrow.

Friday September 18th The House Met

Present

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	

A Message from the House of Assembly by Mr Kinsey and Mr Mehelm in the words following.

"Ordered, that Mr Kinsey and Mr Mehelm do carry back "to the Council the Bill intituled "An Act to regulate the "practice of Physick and Surgery &c." with the Amend- "ments made thereto in this House, and desire their Concur- "rence in the said Amendments"

The Bill intituled "An Act for Inspecting and Culling Staves &c" was read the second time and committed to the Members of this House or any three of them.

Mr Fisher and Mr Crane from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for regulating Roads and Bridges" which was read the first time and ordered a second reading.

His Excellency came into the Council Chamber and from thence was Pleased to send a Message to the House of Assembly in the following words.

A Message to the Assembly.

Gentlemen

Having thought it necessary to Consult his Majesty's Council on the two requests contained in your Message of this Day respecting the Eastern Treasurer, they have advised me to recommend it to you to appoint a Committee of your House to meet a Committee of the Council in a free Conference on the Subject *so far as relates to the Mode of prosecuting the Suit requested in your Message;* and as I approve

of the proposal of the Council I accordingly recommend it to you to appoint a Committee for the said purpose.

September 18th 1772. Wm Franklin

The House continued till tomorrow

Saturday September 19th The House met

Present

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	

A Message from the House of Assembly in the words following:

"James Hude Esq. laid before the House a number of Bills dated March 1737 found by him among the Papers of his Uncle Robert Hude."

"Ordered, that Mr Fisher Mr Wetherill, Mr Paxson and "Mr Price be a Committee to join a Committee of the Council "to inspect and count the same and inquire into the Circum-"stances thereof and the Uses for which they were printed, "and if they find Cause in Conjunction with a Committee of "the Council to burn the same and report their proceedings "to the House."

"Ordered, that Mr Sheppard and Mr Vanhorne do inform "the Council thereof and desire them to appoint a Committee "for that purpose and desire that they will appoint the time "and Place of meeting."

House of Assembly Jona Deare Clk
Sepr 18th 1772.

The House having taken the said Message into Consideration

Ordered, that Mr Read and Mr Stevens be a Committee to

join a Committee of the House of Assembly to Inspect and count certain Bills of Credit laid before the House of Assembly by James Hude Esq. to inquire into the Circumstances respecting the Uses for which the said Bills were printed and to burn the same if the s[d] Committees shall think it proper, and make report of their Proceedings therein to this House.

Ordered also that the said Committees do meet at the House of M[rs] Thorp in Perth Amboy at three o'Clock this afternoon, and that M[r] Stevens do acquaint the House of Assembly therewith.

A Message from the House of Assembly in the words following

"Ordered that M[r] Fisher, M[r] Wetherill, M[r] Crane M[r] "Kinsey, M[r] Price, M[r] Tucker and M[r] Mehelm be a Com- "mittee to meet a Committee of the Council on the Subject "Matter of His Excellency's Message of this Day."

"Ordered that M[r] Roy and M[r] Garritse do wait upon "the Council and desire that they will appoint a Committee "of the Council to meet the Committee of this House in a "free Conferrence on the Subject of his Excellency's Message, "and that they will Please to appoint the time and Place of "meeting"

JON[a] DEARE Clk

House of Assembly Sep[r] 18[th] 1772.

The House having taken the said Message into Consideration.

Ordered that Lord Stirling, M[r] Read, M[r] Stevens and M[r] Coxe or any three of them be a Committee to meet a Committee of the House of Assembly in a free Conferrence on the Subject of his Excellency's Message of Yesterday relative to the Roberry of the Eastern Treasury and that the said Committees do meet at the House of William Wright in Perth Amboy on Tuesday next at eleven o'Clock. A. M.

Ordered that Mr Stevens do acquaint the House of Assembly therewith

The House continued till Monday

Monday September 21st The House met.

Present

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Stephen Skinner Esq.
Charles Read Esq.	Daniel Coxe Esq.
John Stevens Esq.	

The House continued till tomorrow

Tuesday September 22d The House met

Present

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Richard Stockton Esq.
Charles Read Esq.	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.

Mr Read one of the Committee appointed on Saturday last to meet a Committee of the House of Assembly in a free Conferrence on the Subject of His Excellency's Message being indisposed and not able to attend on the said Committee, Ordered that Mr Stockton be one of the said Committee in the Room of Mr Read

Ordered, that Mr Parker do acquaint the House of Assembly therewith.

The House continued till tomorrow.

Wednesday September 23d The House met

Present

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Richard Stockton Esq.
Charles Read Esq.	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.

Mr Hewlings and Mr Vanhorne from the House of Assembly presented for the Concurrence of this House a Bill intituled "A Supplementary Act to an Act intituled An Act for the speedy recovering of Debts from Six Pounds to ten Pounds &ca" Which was read the first time and ordered a Second reading.

Mr Stevens from the Committee to join a Committee of the House of Assembly to inspect and Count certain Bills of Credit laid before the House of Assembly by James Hude Esq. to inquire into the Circumstances respecting and the Uses for which the said Bills were Printed and to burn the same, and report their proceedings thereon to the House, Reported that the said Committees had met according to Order and had burned a certain Quantity of Bills of Credit which he was ready to report when the House would be Pleased to receive the same.

Ordered that the said Report be made immediately

Whereupon Mr Stevens read a written Report of the same in his Place and delivered it in at the Table. and the same being again read was approved of by the House and ordered to be inserted on the Minutes as follows.

The Committees of the Council and Assembly appointed to inspect the Bills of Credit laid before the House of Assembly by Mr James Hude proceeded to examine the said Bills, and find them all dated the 25th of March 1737 part of them being signed by Isaac Debon and John Allen and the remainder by them and Robert Hude.

That upon inspecting the last £40,000 Act do find there was ordered to be printed £10,000 for exchanging ragged and torn Bills, and by the 32d Section thereof one half was to be lodged in the Hands of one of the Signers in the Eastern Division (not being Treasurer) by him to be signed occasionally, of which the Committees have good Reason to believe the aforesaid Bills are part, and therefore have burned them according to Law: their Amount being as follows.

768	Bills.... ....of	1/	each.....	£38 „	8 „ —
814	d°	1/6	.....	61 „	1 „ —
440	d°	3/	.....	66 „	— „ —
384	d°	6/	.....	115 „	4 „ —
144	d°	12/	.....	86 „	8 „ —
88	d°	15/	.....	66 „	— „ —
62	d°	30/	.....	93 „	—
24	d°	60/	.....	72 „	—
				£598 „	1 „ —

Perth Amboy September 22d 1772.

By Order of the Committees

Jn° Stevens.

J. Wetherill

Mr Fisher and Mr. Paxson from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for Establishing the Boundary or Partition Line between the Colonies of New York and Nova Cæsarea or New Jersey &c." Which was read the first time and Ordered a second Reading.

The Bill intituled An Act to Enable the Owners and Possessors of a Tract of Marsh and Meadow at Elsingborough in the County of Salem to uphold and maintain a certain Bank for draining the same Meadow and for other purposes therein mentioned" was read the third time, and

On the Question

Resolved that the said Bill do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Stockton do acquaint the House of Assembly therewith

Mr Stockton reported that he had obeyed the Orders of the House.

The Bill intituled "An Act to regulate the practice of Physick and Surgery &c" was read with the Amendments made thereto by the House of Assembly in their Places, and

On the Question

Resolved, that this House do agree to the said Amendments

Ordered, that the said Bill as Amended be reingrossed

The House continued till tomorrow

Thursday September 24th The House met

Present

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Richard Stockton Esq.
Charles Read Esq.	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.

The Bill intituled "An Act for establishing the Boundary or Partition Line between the Colonies of New York and Nova Cæsarea or New Jersey, and for confirming the Titles and Possessions" was read the second time and committed to the members of this House or any three of them.

Mr Skinner from the Committee to whom was referred the Bill intituled "An Act for Inspecting and Culling Staves, Heading, Hoops &c" reported that the Committee had gone through the said Bill and that he was ready to make report thereon when the House would be pleased to receive the same.

Ordered, that the said Report be made immediately

Whereupon Mr Skinner reported the said Bill without any Amendment

The Bill intituled "An Act for inspecting and culling

Staves Heading Hoops Shingles Timber Boards and Plank, and for Inspecting and Measuring Corn Wheat and other Grain that shall be exported from the Province of New Jersey beyond Sea" was read the third time, and

On the Question

Resolved that the same do pass.

Ordered that the Speaker do Sign the same

Ordered, that Mr Parker do acquaint the House of Assembly therewith.

Mr Winds and Mr Mehelm from the House of Assembly presented for the Concurrence of this House a Bill intituled An Act for defraying Incidental Charges" which was read the first time and ordered a second reading.

Mr Parker reported that he had obeyed the Order of the House.

The Bill intituled "A Supplementary Act to An Act intituled An Act for the speedy recovering of Debts from Six Pounds to ten pounds" &c was read the second time and ordered a third reading.

The Bill intituled "An Act to regulate the practice of Physick and Surgery within the Colony of New Jersey" reingrossed with the Amendments of the House of Assembly was read and compared.

Resolved that the Speaker do sign the said Re-Ingrossed Bill.

Ordered, that Mr Stockton do carry the said Bill to the House of Assembly to be examined and signed by their Speaker.

The House continued till tomorrow

Friday September 25th The House Met

Present

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Richard Stockton Esq.
Charles Read Esq.	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.

Mr Read from the Committee to whom was referred the Bill intituled "An Act for clearing and removing the several Obstructions of the free Course of the Waters in Pasaick River &c" reported that the Committee had gone through the said Bill and made sundry Amendments which he was ready to Report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Read read the said Amendments in his Place and delivered them in at the Table.

And the said Amendments being again read were agreed to by the House.

The Bill intituled "An Act for clearing and removing the several Obstructions of the free Course of the Water in Pasaick River and the several Branches thereof between the little Falls in the said River and the Mill Dam across said River near Day's Bridge over said River and for other purposes therein mentioned" was read the third time, and

On the Question

Resolved that the said Bill as Amended do pass.

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered, that Mr Stockton do carry the same to the House of Assembly and desire their Concurrence in the said Amendments

The Bill intituled "A Supplementary Act to An Act intituled An Act for the Speedy recovering of Debts from six pounds to ten pounds in the Inferior Courts of Common Pleas of this Colony for small Fees" was read the third time, and

On the Question

Resolved that the said Bill do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Stockton do acquaint the House of Assembly therewith.

The Bill intituled "An Act for defraying Incidental

Charges" was read the Second time and ordered a third reading.

The Earl of Stirling from the Committee to whom was referred the Bill intituled "An Act for establishing the Boundary or Partition Line between the Colonies of New York and Nova Cæsarea or New Jersey" &c reported that the Committee had gone thro the said Bill and that he was ready to make report thereon when the House would be pleased to receive the same.

Ordered that the said Report be made immediately

Whereupon his Lordship reported the said Bill without any Amendment.

The Bill intituled "An Act for Establishing the Boundary or Partition Line between the Colonies of New York and Nova Cæsarea or New Jersey, and for Confirming the Titles and Possessions" was read the third time, and

On the Question

Resolved that the said Bill do pass.

Ordered that the Speaker do sign the same.

Ordered, that M^r^ Stevens do acquaint the House of Assembly therewith.

M^r^ Stockton reported that he had obeyed the Order of the House

The House continued till tomorrow

Saturday September 26^th^ The House met

Present

David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Richard Stockton Esq.
Charles Read Esq.	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.

The Bill intituled "An Act for defraying Incidental Charges" was read the third time, and

On the Question

Resolved that the said Bill do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Stevens do acquaint the House of Assembly therewith.

Mr Stevens reported that he had obeyed the Orders of the House

A Message from the House of Assembly in the words following.

"Ordered, that Mr Tucker and Mr Hewlings do carry to "the Council the Bill Re-ingrossed intituled "An Act to "regulate the Practice of Physick and Surgery" and inform "them that the same is passed by this House."

Mr Ford and Mr Demarest from the House of Assembly brought up the Bill re-ingrossed and Signed by their Speaker intituled "An Act for clearing and removing the several Obstructions of the free Course of the Waters in the River Pasaick" &c Which reingrossed Bill was read and Compared.

Ordered, that the Speaker do Sign the same

A Message from the House of Assembly by Mr Fisher and Mr Crane desiring to know whether this House had any further Business before it or any Objection to an Application being made to his Excellency for a dismission—to which Message the Speaker Answered that this House had no Objection to such an Application being made.

His Excellency came into the Council Chamber and having by the Deputy Secretary commanded the Attendance of the House of Assembly. The Speaker with the House attended, when his Excellency was pleased to give his Assent to the following Bills ordering them to be enrolled.

1. An Act for the Support of Government of His Majesty's Colony of New Jersey to Commence the first day of October One thousand seven hundred and seventy two, and to end the first day of October One thousand seven hundred and seventy three, and to discharge the publick Debts and contingent Charges thereof

2 An Act for defraying Incidental Charges.

3 An Act for Establishing the Boundary or Partition Line between the Colonies of New York and Nova Cæsarea or New Jersey, and for confirming the Titles and Possessions.

4 An Act for making Process in the Courts of Equity effectual against Mortgagors who abscond and cannot be served therewith or who refuse to appear.

5 An Act to Regulate the Practice of Physick and Surgery within the Colony of New Jersey.

6 An Act to Enable all Persons who are his Majesty's Liege Subjects either by Birth or Naturalization to Inherit and hold Real Estates notwithstanding any defect of Purchases made before Naturalization within this Colony.

7 A Supplementary Act to An Act intituled An Act for the Speedy recovering of Debts from Six Pounds to ten Pounds in the Inferior Courts of Common Pleas of this Colony for small Fees.

8 An Act to prevent the exportation of unmerchantable Flour to Foreign Markets.

9 An Act for Inspecting and Culling Staves, Heading, Hoops, Shingles, Timber, Boards, and Plank, And for inspecting, Measuring Corn, Wheat, and other Grain that shall be exported from the Province of New Jersey beyond Sea.

10 An Act to prevent Abuses in the packing of Beef and Pork, and for ascertaining the Size of Casks and the Quantity that shall be put in each.

11 An Act for clearing and removing the several obstructions of the free Course of the Waters in Pasaick River and the several Branches thereof between the little Falls in the said River and the Mill Dam across said River near Day's Bridge over said River, and for other purposes therein mentioned.

12 An Act to Enable the Proprietors and Possessors of the Meadows Swamps and low Lands on the Rivers Pasaick and Dead River to clear the same and remove every obstruction to the free Passage of the Waters from the Saw Mill formerly belonging to Samuel Woodruff Esq. deceased up

the Stream of the said River Pasaick to the Mill known by the name of Boyles Mills, and up Dead River to the Bridge commonly called and known by the name of Grants Bridge.

13 A Supplementary Act to An Act intituled An Act to Enable the Owners and Possessors of the Meadows and Swamps lying on a small Branch of Alloways Creek in the County of Salem, to keep and maintain the Banks, Dams and other Water Works in the said Meadow, and to keep the Water Course thereof Open and Clear.

14 An Act to Enable the Owners & Possessors of Meadows and Tide Marsh lying on Assisconk Creek within the Limits of the City of Burlington to Erect and Maintain a Bank Dam and other Water Works across the said Creek in order to prevent the Tide from overflowing the same.

15 An Act to Enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on English's Creek in the County of Burlington to Erect and Maintain a Bank Dam and other Water Works across the said Creek in order to prevent the Tide from overflowing the same, and to keep the former Water Course of said Creek open and Clear, and to make the said Dam when Erected a publick Landing

16 An Act to Enable the Owners and Possessors of a Tract of Marsh and Meadow at Elsingborough in the County of Salem to uphold and maintain a certain Bank for draining the same Meadow and for other purposes therein mentioned.

17 An Act for raising the sum of four hundred and fifty Pounds proclamation Money on the Inhabitants of the Counties of Somerset and Middlesex to be applied to the Compleating the Bridge over Rariton at the Landing

18 A Supplementary Act to An Act intituled An Act to Impower certain Persons therein named to raise a Sum of Money by Subscription or by Taxation to Rebuild and keep in repair the Bridge over Rariton River near bound Brook known by the name of Queens Bridge.

19 An Act to prevent the holding of Fairs in the City of Burlington, Princeton, and Township of Windsor.

20 An Act to Enable certain Persons to Erect and draw a Lottery for raising the sum of One thousand and fifty Pounds to be applied for the Purposes therein mentioned

21 An Act for the better preservation of Deer in the Township of Morris.

22 An Act for the Relief of Richard Stevens with respect to the Imprisonment of his Person

23 An Act for the Relief of Benjamin Ayars now a Prisoner in the Gaol of the County of Cumberland.

24 An Act to Naturalize John George Felthausen.

25 An Act to dissolve the Marriage of David Baxter with Margaret his Wife late Margaret McMurtrie.

After which His Excellency was pleased to Prorogue the General Assembly to Tuesday the twenty seventh day of October next then to meet at the City of Burlington.

A true Copy

CHA^{s} PETTIT D Clerk of the Council

[L. S.] At a Council held at Burlington on Monday February the 22^{d} 1773.

Present
His Excellency The Governor

Charles Read Esq.
Samuel Smith Esq.
John Lawrence Esq.

His Excellency was Pleased to Nominate Josiah Franklin Davenport to be a Justice of the Peace in the County of Burlington, to which the Council assented

His Excellency was Pleased to sign the following Warrants.

N° 628 To himself or Order for one Q^{rs} Salary due the 21st Instant..... 300 „ 0 „ 0

629 To the same for one Q^{rs} House Rent.. 15 „ 0 „ —

630 To Charles Read Esq for one Quarters Salary as second Justice of the Supreme Court due the 21st Instant. 25 „ — „ —

631 To David Ogden Esq for one Quarters Salary as third Justice of the Supreme Court due the 21st Instant. 25 „ 0 „ 0

632 To Samuel Smith Esq for one Qrs Salary as one of the Treasurers due the 21st Instant..... 10 „ 0 „ 0

633 To Stephen Skinner Esq. for one Qrs Salary as one of the Treasurers due the 21st Instant..... 10 „ 0 „ 0

634 To Cortland Skinner Esq. for one Qrs Salary as Attorney General due the 21st Instant..... 7 „ 10 „ 0

635 To Charles Pettit Esq for one Qrs Salary as Deputy Clerk of the Council due the 21st Instant..... 7 „ 10 „ 0

636 To Charles Pettit Esq. for one Qrs Salary as Deputy Clerk of the Circuits due the 21st Instant..... 5 „ 0 „ 0

637 To John Carty for one Qrs Salary as Doorkeeper to the Council due the 21st Instant..... 2 „ 10 „ 0

638 To Doctor Benjamin Franklin for six Months and thirteen days Salary as Agent for this Colony due the 21st Instant..... 53 „ 12 „ 0

At a Council held at Burlington on Monday May 17th 1773.

Present

His Excellency The Governor

David Ogden Esq — Samuel Smith Esq.

Charles Read Esq — John Lawrence Esq.

His Excellency was Pleased to lay before the Board a Petition, which was some time ago presented to His Excellency against Thomas Woodruff Esq. one of the Justices of the Peace in the County of Essex, which Petition being now read, Ordered, that the Complaint contained therein be referred to M^r^ Kemble, M^r^ Ogden, Lord Stirling and M^r^ Skinner, and to any other of the Members of His Majesty's Council who shall attend on the Occasion, or to any two of them, who are hereby appointed a Committee to enquire into the said Complaint, and to make report thereof to His Excellency in Council at the next meeting of the Board And that in the mean time the Papers relative to the said Complaint be committed to the Care of M^r^ Ogden, who is desired to give due Notice to the Parties of the time and Place of the said Committees meeting.

His Excellency was Pleased to Nominate William Verbryck to be a Justice of the Peace in the County of Somerset, Samuel Oakeson to be a Justice of the Peace in the County of Middlesex, Charles Read jun^r^ to be a Justice of the Peace in the County of Burlington and Joshua Brick to be a Justice of the Peace in the County of Cumberland to which the Council assented.

His Excellency was Pleased to propose that Joseph Read and Josiah Franklin Davenport two of the Justices of the Peace in the County of Burlington be made of the Quorum.

At a Council held at Burlington on Friday May the 21^st^ 1773.

Present
His Excellency The Governor.

Charles Read Esq.
Samuel Smith Esq.
John Lawrence Esq.

His Excellency was Pleased to sign the following Warrants on the Treasury.

N° 639	To himself or Order for one Q^{rs} Salary due this day.....	300	0	0
640	To the same for one Q^{rs} House Rent..	15	0	0
641	To the Honble Charles Read Esq. for one Q^{rs} Salary as second Justice of the Supreme Court.....	25	0	0
642	To the Honble David Ogden Esq^{r} for one Q^{rs} Salary as third Justice of the Supreme Court.....	25	0	0
643	To the Honble Samuel Smith Esq. one of the Treasurers for one Q^{rs} Salary.....	10	0	0
644	To the Honble Stephen Skinner Esq. one of the Treasurers for one Q^{rs} Salary.....	10	0	0
645	To Cortland Skinner Esq. Attorney General for one Q^{rs} Salary.....	7	10	—
646	To Charles Pettit Esq. Deputy Clerk of the Council for one Q^{rs} Salary...	7	10	0
647	To Charles Pettit Esq. Deputy Clerk of the Circuits for one Q^{rs} Salary...	5	0	0
648	To Joseph Smith Esq. for the use of Doctor Benjamin Franklin Agent for this Province for one Q^{rs} Salary..	25	0	0
649	To John Carty Door Keeper to the Council for one Q^{rs} Salary.....	2	10	0
650	To Samuel Smith Esq. one of the Treasurers for Cancelling £7886 „ 5 „ 11. the 12th Instant at 1 P. C^{t}...	78	17	3
651	To the same for exchanging £3166 „ 6 „ 10½ in the year ending the 13th May 1772 at 2½ P C^{t}.....	79	3	1
652	To the same for exchanging £3500 „ 0 „ 11¼ in the year ending the 12th Instant at 2½ per Cent.....	87	10	0

At a Council held at Perth Amboy on Saturday the 24th July 1773.

Present
His Excellency The Governor.

David Ogden Esq.
James Parker Esq.
Stephen Skinner Esq.

His Excellency laid before the Board a Petition from the Honourable Daniel Coxe Esq. setting forth as follows.

To His Excellency William Franklin Esq. Captain General and Governor in Chief in and over his Majesty's Province of Nova Cæsarea or New Jersey, and Territories thereon depending in America, Chancellor and Vice Admiral in the same &c[a]

Sheweth

That the Transporting of Persons &c for hire over the Rivers of this Colony hath ever been deemed a Franchise of a Publick nature.

That accordingly the Government hath from time to time for the publick good by Letters Patent granted such Franchises to private Persons.

That your Petitioner and his Predecessors for a long time under the Royal Grant have and doth claim an exclusive Right of Transporting Persons &c for hire over the River Delaware at and within certain distances of the Falls of said River near Trenton.

That one Elijah Bond denying that the Crown hath Power to grant such Franchise so as to exclude him or any other Person from Transporting of Passengers &c for hire over the said River hath Erected a Ferry within the Limits granted to your Petitioner and his Predecessors and persists in claiming a right so to do in defiance of the just Rights of the Crown, as well as to your Petitioners very great Injury.

Your Petitioner is therefore advised to make his Application to your Excellency, and to request your Excellency's Order in Council to his Majesty's Attorney General directing him by Information in the Nature of A Quo Warranto; or otherwise as shall be most Eligable, to prosecute the said Elijah Bond for such his Usurpation upon the just Rights and Prerogative of the Crown.

And your Petitioner &c

DAN[1] COXE.

His Excellency requesting the Advice of the Council on the Prayer of the Said Petition the Board was of the Opinion that a Copy of the Said Petition Should be delivered by the Clerk to the said Elijah Bond, that he may if he thinks proper shew Cause, if any he has, on Monday the eighth day of November why the Prayer of the said Petition should not be granted.

At a Council held at Perth Amboy on Wednesday the 15th of September 1773.

Present

His Excellency The Governor

Peter Kemble Esq.	The Chief Justice
David Ogden Esq.	James Parker Esq.
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.

His Excellency laid before the Board a Recommendation of the Judges &c in favour of Benjamin Cooper, Samuel Haynes and Doctor Bern Budd now under sentance of Death in Morris County Gaol for uttering and passing of Counterfeit Paper Money like to the Currency of this Province &c. Which Letter of Recommendation was by His Excellency's Order read; Also the Confessions of Benjamin Cooper, Samuel Haynes, Doctor Bern Budd, and David Reynolds,

together with a Petition of the Grand Jury and a great number of the principal Inhabitants of the County of Morris and Counties adjacent in behalf of the said Convicts. After which his Excellency was Pleased to ask the Opinion of the Council how far he should extend the Royal Mercy to any or all of the above mentioned Criminals

Whereupon after mature Deliberation, and it appearing that Benjamen Cooper, Samuel Haynes, and Bern Budd, were Principally induced to make their several Confessions before mentioned from Assurances given them in Behalf of Government, in Case of an Ample discovery of the Crimes committed and perpetrated by them and their Accomplices, and upon which alone they were Convicted. And also as it is highly probable that their Evidence will be necessary towards a Conviction of the Principals concerned in the Perpetration of the above Crimes, as well as making a full discovery of the Robbery of the Treasury of this Colony in the Year 1768.

The Board therefore unanimously advised his Excellency to Respite the Execution of the said Benjamin Cooper Samuel Haynes and Doctor Bern Budd, untill Friday the fifteenth day of October next, and if on or before that time it should appear that they have made the fullest discovery of their Crimes and Accomplices, and be ready to give every Aid in their Power towards a Conviction of such Offenders who may be prosecuted for the like Offence, And also give such Bail as shall be Judged sufficient by the Chief Justice, or other Justice of the supreme Court, for their Appearance at the next Court of Oyer and Terminer and General Gaol Delivery to be held for the County of Morris &c in which Case the Council do advise his Excellency to extend his Majesty's Pardon to the said Benjamin Cooper, Samuel Haynes and Doctor Berne Budd for the Crimes of which they are now under sentence of Death.

At a Council held at Perth Amboy on Thursday the 16th of September 1773.

Present

His Excellency The Governor

David Ogden Esq.	The Chief Justice
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
James Parker Esq.	

The Board drew up sundry Queries to be put to the four several Persons Convicted of being concerned in uttering Counterfiet New Jersey Money, and requested Abraham Ogden Esq. and Leiutenant Collonel Ogden of Morris County to put the said Queries to the said Convicts and to obtain their respective Answers thereto, and likewise to obtain from them the fullest Information respecting the whole of the Transactions concerning the Counterfieting of the Paper Currency of New Jersey and uttering of the same, and also of all they know respecting the Robbery of the Treasury.

Mr Coxe moved the Board for leave to withdraw the Petition which he laid before the Governor and Council at their last Meeting praying an Order to the Attorney General to file an Information in the nature of a Quo Warranto against Elijah Bond for Erecting a Ferry on the River Delaware Which Motion was agreed to, and he has leave to withdraw the same accordingly.

A Memorial from Mr Skinner His Majesty's Attorney General was laid before the Board and read in the words following.

To His Excellency William Franklin Esqr Captain General Governor and Commander in Chief in and over the Province of New Jersey &c And the Honourable His Majesty's Council in Council met &c.

The Memorial of Cortland Skinner Esq Attorney General of said Province.

Humbly Sheweth

That by the Laws of this Colony your Memorialist is restrained from filing Informations without Licences and directions of your Excellency, with the Advice of Council.

That Ferries are a Franchise in the Crown and no Person hath Authority to Erect a Ferry without having first obtained the Royal Grant.

That one Elijah Bond hath usurped this Prerogative of the Crown by Erecting a Publick Ferry in this Province at Nottingham in the County of Burlington, without any Licence or Grant for that Purpose That such usurpation is highly derogatory to the just Prerogative of the Crown and therefore your Memorialist prays your Excellency and Council for leave to prosecute an Information against the Said Elijah Bond, in the nature of a Quo Warranto, That the Rights of the Crown in the Premises may be Legally asserted, and his Majesty's just Prerogative suffer no diminution by an acquiescence in the Said Usurpation

15th September 1773 CORTL[d] SKINNER Att[y] Gen[l]

Which Memorial was referred to further Consideration

At a Council held at Perth Amboy on Friday the 17th of September 1773.

Present

His Excellency The Governor.

The Earl of Stirling	The Chief Justice
John Stevens Esq.	Stephen Skinner Esq.
James Parker Esq.	

The Council advised the calling of the Assembly on Wednesday the tenth day of November next.

The Board resumed the Consideration of the Memorial from the Attorney General praying for leave to prosecute an Information against Elijah Bond in the nature of a Quo Warranto for usurping a Franchise of the Crown by Erecting

a Ferry in this Province at Nottingham in the County of Burlington without Licence and were unanimously of Opinion that the Prayer of the Said Memorial be granted, and that the Governor do Sign an Order accordingly.

In pursuance of which Opinion and Advice an Order for the purpose was signed by his Excellency and delivered to the Attorney General in Council.

At a Council held at Perth Amboy on Monday the 27th of September 1773.

Present
His Excellency The Governor

James Parker Esq.
The Chief Justice
Stephen Skinner Esq.

His Excellency laid before the Board the last Confession of David Reynolds and the Answers of Reynolds, Haynes, Budd and Cooper to the Queries put to them by Order of this Board at their last meeting; Also the further Examination and Confessions of the three last mentioned Criminals, which were read.

His Excellency likewise informed the Board that he had received Intelligence that the Persons who went in pursuit of Ford and King, two of the Persons who were concerned in Counterfieting Paper Money had returned without being able to overtake them; but that they had got Information of Ford and King being joined at Juniatta by one Richardson and Thomas Budd (concerned with them in Counterfieting Paper Money) and that they all had proceeded together to the Ohio with an Intention of going to the Mississippi and according to Haynes's Confession were to wait for him at New Orleans till after Christmass next

Whereupon His Excellency requested the Opinion of the Board whether it would not be adviseable to send some

Trusty Persons properly Authorized, and recommended to the Governor of West Florida and New Orleans to apprehend the said Ford and others on their Arrival in that Country, which Persons might pretend to be going as settlers.

The Board were of Opinion that if Persons could be got to undertake this Service in expectation of the reward offered in this Province and Pennsylvania and on a Promise of being paid all their Reasonable expenses whether they succeeded or not, (which His Excellency said he was informed might be done) that it would be of considerable Advantage to the Publick if such a Measure was adopted; and recommended it to the Attorney General to Consult with the Honourable Justice Ogden on the proper means for carrying the same into execution, which the Attorney General accordingly undertook to do: And the Treasurer of the Eastern Division offered to advance if necessary a sum of Money towards defraying the Expences of such Persons who should be engaged in this Service and to take his Chance of being reimbursed by the Publick, which offer was approved of by the Board who likewise recommended it to his Excellency to endeavor to get the Government of Pennsylvania to Assist in this Design, by joining some proper Persons of that Colony with those who may be engaged to go to West Florida on the part of this Province.

At a Council held at Burlington on Wednesday the 24th of November 1773.

Present

His Excellency The Governor

Peter Kemble Esq.	The Chief Justice
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
Samuel Smith Esq	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.

Rinear Vangieson Esq one of the Judges of the Inferior Court of Common Pleas for the County of Bergen, and one of the Justices of the Peace in the said County having requested leave of his Excellency to resign his said Offices of Judge and Justice of the Peace, and his Excellency having desired the Opinion of the Council thereon: The Council advised his Excellency to accept of the said Resignation, and to Order a Supercedeas to issue to the said Rinear Vangieson Esq. ordering him to forbear farther Acting as a Justice of the Peace in the said County.

His Excellency informed the Board that John Demarest Esq had requested leave to resign his Commission as Coroner in the County of Bergen, and desired the Advice of the Council whether the said Resignation should be accepted or not; Whereupon the Council advised his Excellency to accept of the said Resignation.

His Excellency thereupon proposed James Demarest son of the said John Demarest Esq to be appointed a Coroner in the said County of Bergen, to which the Council assented.

At a Council held at Burlington November the 30th 1773.

Present
His Excellency The Governor.

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	The Chief Justice
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	

Mr Ogden from the Committee appointed by the Board on the 17th of May last to enquire into the Complaint against Thomas Woodruff Esq. one of the Justices of the Peace in the County of Essex, delivered in the Report of the said Committee which is in the following words vizt

To His Excellency William Franklin Esquire Captain General Governor and Commander in Chief of the Province of New Jersey, and to his Majesty's Council of the said Province"

We the Subscribers two of the Committee of said Council to whom the Complaint against Thomas Woodruff Esq. one of His Majesty's Justices of the Peace for the County of Essex, was referred, having this day agreeable to Notice given to the Parties for that purpose heard the Complaint of the Petitioners against M^r^ Woodruff charging him with Mal-Practice in his Office; And having also heard the defence of M^r^ Woodruff, with the Proofs and Allegations of both Parties, do Report to your Excellency and Council that We are of Opinion that the Facts charged against M^r^ Woodruff were unsupported by the Petitioners, that his Conduct as Justice of the Peace in the Matters mentioned in the Petition against him is, unblameable, and that the Petition appeared to us to be drawn and prosecuted by a Malicious Spirit without any Foundation to support the Facts charged therein.

"DAVID OGDEN.
STIRLING."

His Excellency at the same time laid before the Board a Letter from Richard Stiles Esq. the Complainant against the Said Thomas Woodruff Esq. which Letter was read and is in the following words viz^t^

Elizabeth Town October 3^d^ 1773.

May it Please your Excellency.

"Some time ago, I was prevailed on by the Importunity of sundry Persons to draw and present to your Excellency a Petition against Thomas Woodruff Esq^r^ which I did being then fully persuaded, that all the Facts therein contained could be fully proved. But as I have since found that I was misinformed I do hereby beg your Excellency's Pardon for having troubled you or any other Person therewith And do also hope that your Excellency will not entertain any un-

favorable Opinion of me on that Account, for I declare upon my Honour that my motives for undertaking, or carrying on the aforesaid Petition were not incited by any the least degree of malice, or private Enmity against M[r] Woodruff." From Sir, your Excellency's most Obedient humble Servant.

RICHARD STILES

His Excellency William Franklin Esq[r]

The Council having taken the Said Report and Letter into Consideration, and being of Opinion that the Charge against the said Thomas Woodruff Esq. is groundless and frivolous, do therefore advise His Excellency to signify his Approbation of the Conduct of the Said Thomas Woodruff as a Justice of the Peace by continuing him in his Said Office.

His Excellency was Pleased to lay before the Board a Letter from Samuel Nicholson of the County of Salem directed to Benjamin Holmes Esq. one of the members of the Assembly for the Said County requesting that the Said Member would use his Endeavors to prevent from passing the House a Bill prayed for by Whitten Cripps, and others for banking certain Meadows in Penns Neck in the Said County alleging that although the Said Petitioners had publickly advertized their Intention of applying for such a Bill to be passed into a Law, the said Advirtisement had not come to his knowledge untill it was too late for him to make such Objections to the Prayer of the Said Petition being granted, as he thinks just and reasonable: Which Letter was put into his Excellency's Hands by way of Petition against his giving his Assent to the Said Bill, the same having already passed the two Houses—Also

A Petition from the Said Whitten Cripps in answer to the said Letter, setting forth, that besides the said publick Advertisement the Petitioners had given verbal Notice to the Said Samuel Nicholson of his Intentions to apply for the said Act, and that the Said Nicholson then told him he had no objection thereto: And that a Delay would be very injurious

to the Petitioner for that his Meadows had lain under water at times for near twelve months past occasioned by the Said Nicholson or his Tenants neglecting to keep up their adjoining Banks: and offering to Support the Facts alleged in the Said Petition, if his Excellency should think proper to order a hearing for that purpose

And His Excellency was Pleased to desire the Advice of the Council whether it would be proper for him to delay his Assent to the Said Bill or not.

And it appearing to the Council that the Said Bill having passed the two Houses in the usual Form after due publick Notice having been given by the Petitioners of their Intention to apply for the same: The Council unanimously advised his Excellency that the Said Letter from the Said Samuel Nicholson ought not to be at all regarded.

His Excellency was Pleased to Nominate Charles Harrison of Trenton, to be one of the Coroners of the County of Hunterdon, to which the Council assented.

At a Council held at Burlington December the 1st 1773.

Present
His Excellency The Governor

Peter Kemble Esq.	The Chief Justice
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	

A Memorial having been presented to the Board from Colonel Samuel Ogden, Setting forth that he hath been informed that certain Charges have been exhibited before this Board against him, by which his Character as a Gentleman and a Magistrate is impeached: and therefore praying that he may be favoured with a Copy of the Said Articles, and that he may be heard before the Board upon a Matter that so nearly concerns, and most sensibly affects him.

Ordered, that the Secretary inform Colonel Ogden that no such Charges are before this Board nor does any thing appear on their Minutes that can in any wise impeach his Character.

His Excellency was Pleased to nominate Michael Vreeland Esq. to be one of the Judges of the Pleas in the County of Essex, to which the Council assented.

At a Council held at Burlington on the 3d of December 1773.

Present

His Excellency The Governor

Peter Kemble Esq.	The Chief Justice
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	

A Memorial being presented to the Board from Colonel Ogden setting forth—That he had on Sunday last received a Letter from one of the Board informing him with the leave of his Excellency that the Earl of Stirling had exhibited to the Board an Accusation against the said Memorialist and Samuel Tuthill Esqr of Morris County, charging them with mal-Practice in the Execution of their Respective Offices as Justices of the Peace, and as Members of the late Court of Oyer and Terminer and General Gaol delivery, for the said County, by unfairly and partially taking the Examinations and Depositions of several Witnesses of and concerning several Criminal Matters examined into by the said Memorialist and Samuel Tuthill Esq. And also that his Lordship had further informed the Board that the said Memorialist and Samuel Tuthill had suppressed the Testimony of some Witnesses Material for bringing certain Criminals to Justice That the Memorialist did on the first Instant present a Memorial to the Board praying to have a Copy of the said Accusation exhibited as aforesaid, and that he might be heard

before the Board in hopes that he should have received a Copy of the Charges exhibited against him if still remaining w^th^ the Board, and if not so remaining, to have had an Account how the said Articles of charge came to be taken from or expunged the Minutes, whether at the request of Lord Stirling arising from a conciousness of the Injustice of the said Charges or not? And whether in Such manner as did altogether remove the Charges against the said Memorialists Character. And that as the Order of the Board thereupon was only "that the Secretary do inform the Said Memorialist that no such Charges are before the Board nor does any thing appear on their Minutes that can, in any wise impeach the Memorialists Character:" The Memorialist humbly conceives that although nothing does now appear on the Said Minutes, yet that the Charge still remains against the Said Samuel Tuthill, and the Memorialist which being of so high a Nature to the Publick, to the said Samuel Tuthill, and the Memorialist, it is therefore humbly prayed by the Said Memorialist that a full and perfect Inquiry may be had of this Important Affair, and that a day may be fixed for the hearing at Such time and Place as may be thought most expedient, And that the said Earl of Stirling may be ordered by a short day to ascertain the particular Instances and Depositions whereby he intended to support his Charges.

The Board having taken the Said Memorial into Consideration and deliberated thereon

Ordered, That Colonel Ogden be informed that the Articles of Complaint against him and Samuel Tuthill Esq. which had been exhibited to this Board by the Earl of Stirling were while on the rough Minutes of the Day, and before they were entered in the Council Book, withdrawn with the Consent and Approbation of the Board, for Reasons given by his Lordship. Therefore as there is not at present any Charge before the Board respecting the said Colonel Ogden or Samuel Tuthill, it is not in their Power to Comply with the Prayer of Collonel Ogdens Memorial in proceeding to

make enquiry into the Affair, or fixing a time for the hearing: nor can they properly take any farther Steps in the Matter, unless the Charges shall be hereafter renewed, or laid before them.

His Excellency was Pleased to lay before the Board some Information which he had received from Thomas Kinney Esq. Sheriff of the County of Morris respecting the Robbery of the Treasury.

Whereupon the Council advised his Excellency to Cause the Depositions of the Reverend John Hanna of Kingwood in the County of Hunterdon to be taken, And also that Thomas Stout near the Dutch Meeting House in Reading Town in the said County be requested to attend in this City to relate what he Knows respecting Joseph Richardsons being possessed of a large quantity of Jersey Paper Money, and exchanging the same or part thereof for Gold or other Money.

The Board being also informed that the said Thomas Kinney Esq can give some material Information respecting the Robbery of the Treasury, The Board thereupon requested the Chief Justice to take the Deposition of the said Thomas Kinney Esq.

His Excellency was Pleased to lay before the Board a Message from the House of Assembly in which are the following words viz^{t}

"That with respect to the Convicts in Morris County Gaol "the House are of Opinion that it is not proper to send for or examine them."

Whereupon the Council advised his Excellency to Issue His Majesty's Royal Pardon to the said Convicts, viz^{t} Benjamin Cooper, Bern Budd, and Samuel Haynes.

His Excellency was Pleased to communicate to the Board His Majesty's Royal Allowance of an Act of the General Assembly of this Province passed in September 1772 intituled "An Act to enable all Persons who are His Majesty's Leige Subjects either by Birth [or] Naturalization to inherit

and hold Real Estates notwithstanding any defect of Purchases made before Naturalization within this Colony," which allowance was signified to His Excellency by a Copy of a Minute of His Majesty's most Honourable Privy Council dated the first day of September last, and transmitted to him by Order of the R^t^ Honourable the Earl of Dartmouth His Majesty's Principal Secretary of State for American Affairs in the following words [*pro ut* the Minute of Council].

His Excellency was also Pleased to Communicate to the Board, His Majesty's Royal disallowance of three Acts of the General Assembly of this Province passed in August and September 1772. Which disallowance was signified to His Excellency by a Copy of a Minute of His Majesty's most Honourable Privy Council Dated the first day of September last, and transmitted to him by Order of the R^t^ Honourable the Earl of Dartmouth His Majesty's Principal Secretary of State for American Affairs in the following words.

[*pro ut* the Minute of Council]

Whereupon the Council advised His Excellency to notify His Majesty's gracious Allowance and Confirmation of the said Act so allowed and His Majesty's Royal disallowance of the said three Acts so disallowed by Proclamation

And His Excellency was thereupon Pleased to issue a Proclamation in the words following viz^t^

By His Excellency

William Franklin Esquire Captain General Governor and Commander in Chief in and over the Province of New Jersey and Territories theron depending in America, Chancellor and Vice Admiral in the same &c^a^

A Proclamation

Whereas His Majesty, by his Order in Council at S^t^ James's bearing date the first day of September last hath been graciously pleased, with the Advice of the Privy Council to declare his Royal Approbation and Allowance of

An Act of the Legislature of this Province passed in September 1772, intituled

"An Act to enable all Persons who are His Majesty's "leige Subjects either by Birth or Naturalization, to inherit "and hold, Real Estates notwithstanding any Defect of Pur- "chases made before Naturalization within this Colony."

And Whereas His Majesty, by one other Order in Council at St Jamess, bearing date the said first day of September last, hath been pleased, with the Advice of his privy Council to declare his Royal Disallowance of three other Acts of the Legislature of this Province, passed in August and September 1772, intituled as follows viz[t]

1 "An Act for the Relief of Benjamin Ayars now a Prisoner in the Gaol of the County of Cumberland."

2 "An Act to Naturalize John George Felthausen"

3 "An Act to disolve the Marriage of David Baxter with Margeret his Wife, late Margaret M[c]Murtry"

I have therefore thought fit by and with the Advice and Consent of His Majesty's Council for this Province to publish His Majesty's gracious Allowance and Affirmance of the Act first above mentioned, and His Majesty's Royal Disallowance and Repeal of the said three last mentioned Acts by Proclamation, to the End, that all his Majesty's Subjects whom it may concern may take Notice thereof and Govern themselves accordingly.

Given under my Hand and Seal at Arms in the City of Burlington the third day of December in the fourteenth year of the Reign of our Sovereign Lord George the third of Great Britain France and Ireland King Defender of the Faith &c Anno Domini 1773.

W[m] FRANKLIN

By His Excellencys Command

CHA[s] PETTIT D Secr[y]

At a Council held at Burlington on the 8th day of December 1773.

Present
His Excellency the Governor

Peter Kemble Esq.	The Chief Justice
David Ogden Esq.	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.

His Excellency was Pleased to lay before the Board a Petition from sundry of the Inhabitants of the Town of Gloucester and part of the Township of Gloucester, setting forth—That there is no established Boundary of the said Town to be found on Record and that by the reputed Boundary of the said Town it is so small and the Inhabitants within the same so few as scarcely to afford a sufficient number of Freeholders to hold the necessary Town Offices.—And therefore praying that part of the said Township of Gloucester, as described in the said Petition may be annexed to the said Town of Gloucester by Patent.

John Hinchman and Robert Friend Price Esqrs the Representatives of the County of Gloucester who attended for that purpose being heard in support of the said Petition, and it appearing to the Board to be proper that the Prayer of the said Petition should be granted, the Council advised his Excellency to cause a Patent to be issued pursuant to the said Prayer

At a Council held at Burlington the 14th day of December 1773.

Present
His Excellency The Governor.

Peter Kemble Esq.	The Chief Justice
The Earl of Stirling	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	John Lawrence Esq.
James Parker Esq.	

His Excellency was Pleased to lay before the Board an Application from John Vanhorne Esqr to be made one of the Judges of the Pleas in the County of Somerset: Whereupon the Council advised his Excellency not to Comply with the said request there being already a sufficient number of Judges in the said County, some of whom reside in the Neighbourhood of the said John Vanhorne.

His Excellency was Pleased to Nominate Joseph Skelton Esqr now one of the Justices of the Peace in the County of Middlesex, to be also a Justice of the Peace in the County of Somerset.

His Excellency was likewise Pleased to Nominate Richard Cockran and Robert Stockton Esqrs now Justices of the Peace in the County of Somerset to be also Justices of the Peace in the County of Middlesex.

The said three Gentlemen all residing near the Line between the said two Counties.

Joseph Oxford of the Township of Oxford, Mark Thompson of the Township of Hardwick, Henry Wm Cortwright of the Township of Sandwich, and Abraham Chambers of the Township of Montague, to be Justices of the Peace in the County of Sussex.

Ebenezer Foster to be a Judge of the Pleas in the County of Middlesex, Robert Field to be a Judge of the Pleas in the County of Burlington, Thomas Berry to be a Justice of the

Peace in the County of Somerset, Peter Forman to be a Justice of the Peace in the County of Monmouth, Richard Stevens to be a Justice of the Peace in the County of Hunterdon, Drury Wake, Joseph Stokes, Peter Falman, William Heulings and Samuel Hew to be Justices of the Peace in the County of Burlington.

To all which Nominations the Council assented.

At a Council held at Burlington the 20th day of September 1773.

Present

His Excellency The Governor

Peter Kemble Esq.	The Chief Justice
The Earl of Stirling	Richard Stockton Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	John Lawrence Esq.
James Parker Esq.	

His Excellency was Pleased to lay before the Board a Representation in writing he had received from sundry of the Militia Officers in the County of Morris, which was accompanied with a Certificate in writing from some of them who were Grand Jurors at the late Court of Oyer and Terminer in the said County of Morris containing certain Charges against the Conduct of Jacob Ford Junr Esq. Colonel of the Militia of the said County; and asked the Advice of the Council what was proper for him to do thereupon—The Council having taken the said Representation and Certificate, and the other Papers relating thereto into Consideration, and being of Opinion that the Facts contained therein were properly Cognizable in the Courts of Law, do Advise His Excellency that it would be improper for him to give any determination thereupon untill the Courts of Law may have had an Opportunity of having the Matters of Complaint determined before them, if to them it shall seem proper.

At a Council held at Burlington the 21st of December 1773.

Present
His Excellency The Governor

The Earl of Stirling	Richard Stockton Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
The Chief Justice	

His Excellency was Pleased to lay before the Board a Message from the House of Assembly which was read and is in the words following viz[t]

House of Assembly Decem[r] 21 1773.

"Ordered, That M[r] Mehelm and M[r] Taylor do wait on his Excellency and inform him"

"That the House look on the Robberry of the Treasury "to be of so much consequence to the Colony, that consistent "with the trust reposed in them they cannot remain Silent.

"The House conceive publick Utility may render it neces- "sary that a Person should be removed from an Office, and "yet that removal cannot be deemed a Punishment. If a "Person in Office should appear to be incapable of perform- "ing the Duties of it, In Order to prevent any publick "Detriment, a removal should take Place, and with equal "Reason this Remedy ought to be applied where there "appears to have been a Neglect in keeping the Publick "Money.

"The House know of no Action in which the negligence "of the Eastern Treasurer can be brought in Question. But "they request his Excellency would be Pleased to look into "the Affidavits laid before the House in 1770 and they ap- "prehend some Instances of Negligence will appear.

"In Order to restore that Harmony which ought to Sub- "sist between the several Branches of the Legislature and to

"quiet the general Uneasiness of the Colony, the House "renew their request that His Excellency would be Pleased "to remove the Treasurer from his Office in Order that a "Suit may be instituted against him for the Recovery of the "Money."

And His Excellency was Pleased to ask the Advice of the Council whether it would be proper to remove the Eastern Treasurer from his Office agreeably to the request contained in the said Message, and whether such removal is necessary to the legal Institution of a Suit against the said Treasurer for the Money Stolen out of the Treasury in the year 1768.

The Council having taken the same into Consideration and deliberated thereon were unanimously of Opinion that it would not be proper for his Excellency at present to remove the said Treasurer from his Office, and that such removal is not necessary to the Legal Institution of such Suit against him.

At a Council held at Burlington the 22d day of December 1773.

Present

His Excellency The Governor

The Earl of Stirling	Richard Stockton Esq.
Samuel Smith Esq.	Stephen Skinner Esq.
James Parker Esq.	Daniel Coxe Esq.
The Chief Justice	John Lawrence Esq.

His Excellency was Pleased to sign the following Warrants Ordering the Treasurers or either of them to pay.

No 653	To himself or Order for four months and one third of a Months's Salary as Commander in Chief from the 21st of May to the first of October last at £1200 P Annum.....	433	6	8
654	To the same for House Rent for the same time at £60.....	21	13	4

655	To the Honourable David Ogden Esq. one of the Justices of the Supreme Court for his Salary for the same time at £100	36	2	2
656	To the Hoñble Samuel Smith Esq. one of the Treasurers for his Salary for the same time at £40	14	8	10
657	To the Hoñble Stephen Skinner Esq. one of the Treasurers for his Salary for the same time	14	8	10
658	To Cortland Skinner Esq. Attorney General, for his Salary for the same time at £30	10	16	8
659	To Charles Pettit Esq. Deputy Clerk of the Council for his Salary for the same time	10	16	8
660	To Charles Pettit Esq. for the use of Joseph Warrell Esq. Clerk of the Circuits for his Salary for the Same time at £20	7	4	5
661	To John Carty Doorkeeper to the Council for his Salary for the same time £10	3	12	3
662	To Joseph Smith Esq. for the use of D^{r} Benjamin Franklin Agent for this Colony in Great Britain for his Salary for the same time at £100	36	2	2
663	To the Chief Justice for holding nine Courts of Oyer and Terminer viz^{t} in Essex in October last; in Gloucester, Salem, Cumberland, and Cape May in May last, in Hunterdon in August last, in Bergen in September last, in Monmouth in October last, and in Salem in November last, at £10 each	90	0	0

664 To the Honble David Ogden Esq. one of the Justices of the Supreme Court for holding four Courts of Oyer and Terminer viz^{t} in the County of Sussex in May last, in Essex in June last, in Middlesex in July last, and in Morris in August last..... 40 „ 0 „ 0

Previous to the signing the said Warrants his Excellency was Pleased to acquaint the Board that he had some time ago received Information from the Earl of Hillsborough, then his Majesty's Principal Secretary of State for American Affairs that His Majesty had been graciously Pleased to give an Adequate Salary to the Chief Justice of this Province, and that it was his Majesty's Pleasure that the said Chief Justice should no longer accept any Allowance from the Assembly.

And thereupon his Excellency was Pleased to ask the Advice of the Council whether it would be proper for him to pass the above mentioned Warrant No. 663 in favour of the Chief Justice or not?

The Council having taken the same into Consideration were of Opinion that the Money being for extraordinary Services, for which Provision is made in the Act of Assembly, is not within the meaning of His Majestys Restriction; And therefore advised his Excellency to sign the said Warrant.

His Excellency was Pleased to lay before the Board a Petition signed by Francis Hingston and nineteen others, calling themselves "The Freeholders Inhabitants of the "Township of Gloucester in the County of Gloucester" setting forth that they understand some of the Inhabitants of the town of Gloucester have surveyed off part of the said Township, and prayed that it may be annexed by Patent to the said Town of Gloucester and offering sundry Reasons against the said part of their Township being so severed, and praying that the said Patent may not be granted.

The Council taking the same into Consideration and finding that the said Patent had been regularly applied for in the usual Form, that the said Petitioners or great part of them had been timely notified of the said Application, and that the said Patent had passed the Great Seal before the presenting of this Petition without any Opposition being made thereto, were of Opinion that his Excellency could not with Propriety pay any farther regard to the said Petition

At a Council held at Burlington on the 14th day of February 1774.

Present

His Excellency The Governor

John Stevens Esq.	Richard Stockton Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.

His Excellency was Pleased to acquaint the Board that he had some time ago received from John King late the under Sheriff of Morris County a Representation in writing containing sundry Charges against Thomas Kinney Esq. High Sheriff of the said County relative to the Escape of Samuel Ford, who was Committed to the Goal of the said County of Morris in July last on Suspicion of having Counterfieted the Bills of Credit of this Province That his Excellency had caused a Copy of the said Representation to be delivered to the said Thomas Kinney Esq. in Order that he might have an Opportunity of Answering the said Charges That his Excellency had lately received from the said Thomas Kinney an Answer in writing to the said Charges, together with sundry Affidavits in support of the said Answer.

Which Papers his Excellency was Pleased to lay before the Board and ask the Advice of the Council thereon.

The Council having taken the same into Consideration were of Opinion that the charges contained in the said Rep-

resentation are not supported. But it appearing to the Board that the said Thomas Kinney may nevertheless be blameable for negligence in his Office respecting the Escape of the said Samuel Ford, the Attorney General was called in and examined touching that Matter, who informed the Board that a Bill of Indictment was found against the said Sheriff by the Grand Inquest of the said County of Morris for Misbehaviour respecting the said Escape;

Whereupon the Council advised his Excellency to Order the Attorney General to prosecute the said Indictment at the next Court.

At a Council held at Burlington the 21st day of February 1774

Present
His Excellency The Governor

John Stevens Esq.	James Parker Esq.
Samuel Smith Esq.	Daniel Coxe Esq.

His Excellency was Pleased to Nominate James Hude Esqr of New Brunswick to be a Justice of the Peace in the County of Middlesex, Robert Hoops to be a Justice of the Peace in the County of Hunterdon Jonathan Stiles Esq. to be a Justice of the Peace in the County of Morris Francis Hopkinson Esq. to be a Justice of the Peace in the County of Burlington, William Jackson junr to be a Justice of the Peace in the County of Monmouth, Robert Morss to be a Justice of the Peace in the County of Gloucester John Carey Esq to be a Justice of the Peace in the County of Salem, and Ephraim Martin to be a Coroner in the County of Sussex.

To all which nominations the Council Assented.

His Excellency was also Pleased to Nominate Samuel Barron Esq. to be a Judge of the Pleas in the County of Middlesex, to which the Council Assented.

At a Council held at Burlington the 24th of February 1774

Present
His Excellency The Governor

John Stevens Esq.	James Parker Esq.
Samuel Smith Esq.	Richard Stockton Esq.

His Excellency was Pleased to lay before the Board a Memorial from the Honourable Stephen Skinner Esq. Treasurer of the Eastern Division of this Province requesting that his Excellency for the Reasons therein contained would be pleased to accept of his Resignation, of his Office of Treasurer, which Memorial followeth in these words, to wit,

To His Excellency William Franklin Esqr Captain General and Governor in Chief in and over the Province of New Jersey and Territories thereon depending in America Chancellor and Vice Admiral in the same &ca

May it Please your Excellency

The Misfortune which befel me in the year 1768 of being robbed of a large Sum of the Publick Money committed to my Custody as Treasurer of the Eastern Division of this Province has been greatly increased by the Obscurity in which the Perpetrators of that atrocious Villainy have been concealed. And although my most Zealous Endeavours have not been wanting to have them discovered, and such Circumstances have at length been brought to light as seem to point them out with a great degree of Probability, yet by an unfortunate Concurrence of other Circumstances, the publick has hitherto not received that full Evidence of their Guilt, which seems necessary to carry Conviction into every Mind. Hence there remains with some People a Doubt that has been the Source of the severest part of my Calamity. A doubtful mind is open to any Plausible Suggestion, and a Man in a Publick Station is seldom without some Enemies who are

ready to rejoice in his Misfortunes, and to put the worst construction it will possibly bear on every part of his Conduct. An uncharitable Suspicion against my Moral Character on this Occasion has taken Place in the Minds of some Persons, in divers parts of the Province, who have not had an Opportunity of being duly informed of the Truth, even so far as it has been discovered. This to a Heart conscious of its own Integrity and looking forward to the hopes of a rising Family, and the Honour of Worthy Connections, must afford the Keenest Anguish. And although the loss of so much Money as that of which the Treasury has been robbed, should it fall upon me must be attended with great distress, and perhaps ruin to my Family, it is a Loss I would much rather sustain, were I driven to the unhappy alternative, than suffer so odious a Stigma to descend with my Character to Posterity.

This Sir has been the Chief Motive which has induced me so earnestly to sollicit that my Conduct may be enquired into by a fair and impartial Trial. And the Apprehension that a removal from my Office might have the Appearance of my being supposed by your Excellency to be in some measure Guilty, has induced me to request that I might be continued in Office untill such Trial should be had. You have been Pleased Sir, so far as it lay with you to grant me this request and to declare that you think it just and reasonable. But to my great Mortification the House of Assembly have adopted a different Opinion, and seem disposed to support it with much perseverence.

This difference of Opinion has already given great Interruption to that Harmony among the several Branches of the Legislature which has hitherto been one of the happy Effects of your Excellencys Administration. Dissention and uneasiness have taken place among the People, and the necessary Measures of Government are threatened with Obstructions, which may be highly pernicious to the Publick Peace and welfare of the Province.

I sincerely thank you Sir, for the Assurances you have

been Pleased to give me that you will not remove me from my Office before a Trial. But as I agree with your Excellency in the position mentioned in your Message to the Assembly, that the Interests of an Individual ought not to be put in Competition with the publick Good, and as I am induced to hope that my voluntary Resignation of the Office of Treasurer will be so far acceptable to the Honourable House of Assembly as to put an End to the unhappy dispute now subsisting between your Excellency and them, and thereby restore Peace to the Province. I am willing to make the Sacrifice in full Confidence that I shall receive from the Candour of that Honourable House and the publick, such Consideration as is due to the heavy misfortune in which through accident I am now involved. But whatever may be the Event to myself, I will not be the Cause of continuing a publick contention which may in its Consequences be abundantly more injurious to the People than the loss of the Money of which I have been robbed.

I therefore request your Excellency's leave to resign the Office of Treasurer of the Eastern Division of New Jersey, and ardently hope it will have the Salutary Effect I have mentioned.

I am with great Respect your Excellency's most Obedient humble Servant

February 24th 1774 STEPHEN SKINNER.

Whereupon the Council unanimously advised his Excellency to Accept Mr Skinners Resignation of his said Office of Treasurer, and his Excellency was Pleased to accept the same accordingly.

His Excellency was then Pleased to nominate Mr Philip Kearney junr of Perth Amboy as a proper Person to succeed Mr Skinner in the said Office of Treasurer of the Eastern Division, and who he said was the only Person who had been recommended to him excepting John Smyth Esq. of Perth Amboy: And His Excellency was Pleased to ask the Advice

of the Council respecting the appointment of the said M^r^ Kearny.

The Council having deliberated thereupon, and having taken into Consideration the present State of this Province consequent upon the late dispute between the Governor and Assembly respecting the removal of M^r^ Skinner from the Office of Treasurer; Although they doubt not the Integrity and Ability of M^r^ Kearny, yet they are unanimously of Opinion that at this Conjuncture it would not be expedient for his Excellency to appoint the said M^r^ Kearney.

After which his Excellency asked Advice of the Council as to the Appointment of the said M^r^ Smyth: And it appearing to the Council that the Appointment of M^r^ Smyth at this time would be more likely to restore that Peace and Harmony among the several Branches of the Legislature, and Quiet to the People, so essential to the happiness of the whole, than any other Person who could be obtained, The Council therefore for these Reasons, unanimously advised his Excellency to appoint the said M^r^ Smyth to succeed M^r^ Skinner in the Office of Treasurer of the Eastern Division of this Province.

At a Council held at Burlington the 28^th^ day of February 1774

Present

His Excellency The Governor

John Stevens Esq.	James Parker Esq.
Samuel Smith Esq.	Richard Stockton Esq.

His Excellency was Pleased to lay before the Board a Letter from Collonel Jacob Ford jun^r^ dated the 17^th^ of January last, accompanied with two Certificates and an Affidavit, viz^t^

A Certificate from John Carle Esq. Foreman of the Grand Jury at the late Court of Oyer and Terminer held in the County of Morris in August & September last, that the said

Grand Jury, after examining the Charges exhibited against the said Coll[l] Ford, Voted that no Bill should be found against the said Collonel Ford, and that the Charges contained in the Minutes of the said Grand Jury against the said Collonel Ford have since been cleared up to the satisfaction of the said John Carle.

A Certificate from Cornelius Ludlow Foreman of the Grand Jury at the late Court of Quarter Sessions held in the said County of Morris in December last, setting forth that nothing did appear to the said Grand Jury against the said Collonel Ford worthy of Complaint or presentment And that the said Cornelius Ludlow is fully convinced that Matters have been heretofore much misrepresented and much to the Prejudice of the said Collonel Ford.

And an Affidavit of Joseph Morris declaring that if he did formelly say on his Oath before the Grand Jury that "at "a Private appointed Meeting in the Year 1769, Jacob Ford "jun[r] Esq did advise Me to go away so as not to be an Evi- "dence against Samuel Ford," he misunderstood himself, for that being asked these Questions since he cannot remember any appointed Meeting, or that Collonel Ford ever advised him to go away so as not to be an Evidence against Samuel Ford.

And his Excellency was Pleased to ask the Advice of the Council whether it would now be proper to proceed to the Final Examination of the Complaints against the said Collonel Ford which were laid before the Board on the 20[th] of December last.

The Council taking the same into consideration advised his Excellency to defer such final Examination untill such of the Gentlemen of the Council who reside in or near Morris County shall be present.

His Excellency was pleased to Nominate the Honourable Richard Stockton Esq. to be one of the Justices of the Supreme Court of Judicature in this Province, in the Room of Honourable Charles Read Esq. who has resigned.

To which the Council unanimously assented. His Excellency was Pleased to Nominate Maskell Ewing and Ephraim Harris Esq^{rs} to be Judges of the Pleas in the County of Cumberland, and Thomas Maskell Ephraim Suly jun^{r} and Elijah Hand to be Justices of the Peace in the said County, to which nominations the Council assented.

At a Council held at Burlington the 3^{d} day of March 1774

Present
His Excellency The Governor

John Stevens Esq.
Samuel Smith Esq.
James Parker Esq.
Richard Stockton Esq.
Stephen Skinner Esq.
Daniel Coxe Esq.
John Lawrence Esq.

His Excellency was pleased to lay before the Board a Petition from sundry Persons in behalf of themselves and the other Inhabitants of the Township of Great Eggharbour, setting forth that at a Town Meeting in March 1772 the said Inhabitants had agreed that the said Township should be divided, and part thereof erected by Patent into a new Township by certain Metes and bounds described in a Map accompanying the said Petition.

The Council taking the same into Consideration and observing that there are but few signers to the said Petition advised his Excellency to Order Notice to be given to the Inhabitants of the said Township to shew Cause if any they have on the first day of April next, why the said Division should not be made and a Patent be issued agreeably to the Prayer of the said Petition.

At a Council held at Burlington the 9th day of March 1774

Present
His Excellency The Governor

John Stevens Esq.	Richard Stockton Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.

His Excellency was Pleased to lay before the Board a Message from the House of Assembly in the words following viz^{t}

House of Assembly March 9th 1774

"Ordered, that M^{r} Kinsey and M^{r} Mehelm do wait on his "Excellency and inform him

"That this House have received a Message from the" "Council informing them that the Bill intituled An Act to" "Authorize the present Treasurer of the Eastern Division" "to bring an Action against the late Treasurer of the said" "Division for the Sum of six thousand five hundred and" "seventy Pounds nine shillings and four Pence, for which" "the said late Treasurer claims an allowance in his" "Accounts alledging the same to have been stolen from the" "Treasury, and for other Purposes therein mentioned" has passed that House, and therefore, do request that his Excellency will be Pleased to inform this House whether he will give his Assent thereto or not? in order if the last should be the Case they may endeavor to fall on some expedient to Effect the final settlement of that affair, or make Provision to prosecute the Suit pointed out by his Excellency in his Answer of the fourteenth of February last past to a Message of this House

And his Excellency was Pleased to ask the Advice of the Council whether it would be proper for him, all Circumstances considered, to give his Assent to the said Bill or not?

The Council having taken the same into Consideration,

and for some time deliberated thereon, desired farther time to consider till tomorrow morning.

His Excellency was Pleased to Nominate Joseph Throcmorton to be a Justice of the Peace in the County of Monmouth, to which the Council Assented.

At a Council held at Burlington the 10th day of March 1774

Present
His Excellency The Governor

John Stevens Esq.	Richard Stockton Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.

The Council resumed the Consideration of the Subject mentioned in the Message from the House of Assembly which was laid before the Board by his Excellency yesterday; And his Excellency now laid before the Board one of the Royal Instructions, which requires him not to pass or give his Consent to any Bill or Bills of a new or extraordinary Nature and Importance wherein the Prerogative of the Crown, or the Property of the Kings Subjects may be prejudiced.

The Council having considered the said Instruction and finding that Laws of a simaler nature have been heretofore passed in this Province, And also in New York, were of Opinion that the said Instruction does not interfere with the passing the Bill now under Consideration, so far as respects the Royal Prerogative; But it being suggestive that it might possibly be injurious to the private Interest of Mr Skinner it was proposed that he should be called in and examined on that point.

Mr Skinner accordingly attended, and being asked by his Excellency whether he apprehended the passing the said Bill

into a Law would put him in a worse situation with respect to the suit to be brought against him, or in any way be prejudicial to him? he answered that if he had apprehended the said Bill would have such a tendency, he should have made Application to prevent its being passed into a Law. But that, as his only wish was to have the Merits of his Cause fairly tryed, and as, from anything that had occurred to him or from any Advice he had received from his Council he had no Reason to apprehend the said Bill would be any way injurious to him, he had no objection to its being passed into a Law.

Whereupon the Council advised his Excellency to give his Assent to the said Bill.

His Excellency was Pleased to lay before the Board two Bills which had passed the two Houses, one of which is intituled "An Act to Oblige the Treasurers of the Colony of "New Jersey to give security for the due Execution of their "Offices, and to prescribe the Mode in which the same Se-"curity shall be taken" and the other intituled "An Act for "striking One hundred thousand Pounds in Bills of Credit, "and to prescribe the Mode of sinking the same," And to ask the Advice of the Council whether it would be proper for him to give his Assent to the said Bills.

The Council having taken the same into Consideration unanimously advised his Excellency to give his assent to the said two Bills.

At a Council held at Burlington the 11th day of March 1774

Present
His Excellency The Governor

John Stevens Esq.
Samuel Smith Esq.
James Parker Esq.
Richard Stockton Esq.
Stephen Skinner Esq.
Daniel Coxe Esq.
John Lawrence Esq.

His Excellency with the advice of the Council was Pleased to sign Warrants directed to the Treasurers of New Jersey or either of them directing them to pay

No 665	To himself or order for one Quarters Salary as Commander in Chief of this Colony ending the 1st of January last.....	300 „	0 „	0
666	To the same for one Quarters House Rent ending at the same time.....	15 „	0 „	0
667	To the Hoñble David Ogden Esq. for one Quarters Salary as one of the Justices of the Supreme Court ending at the same time.....	37 „	10 „	0
668	To the Hoñble Samuel Smith Esq. for one Quarters Salary as one of the Treasurers ending at the same time..	10 „	0 „	0
669	To Cortland Skinner Esq. Attᵞ General for one Qʳˢ Salary ending at the same time.....	10 „	0 „	0
670	To Charles Pettit Esq. Deputy Clerk of the Council for one Quarters Salary ending at the same time.....	7 „	10 „	0
No 671	To Charles Pettit for the use of Joseph Warrell Esq. Clerk of the Circuits for one Quarters Salary ending at the same time.....	5 „	0 „	0
672	To John Carty Doorkeeper to the Council for one Quarters Salary ending at the same time.....	2 „	10 „	0
673	To Joseph Smith Esq. for the use of Docter Benjamin Franklin Agent for this Colony at the Court of Great Britain for one Qʳˢ Salary ending at the same time.....	25 „	0 „	0
674	To Charles Pettit Esq. being the Sum			

	allowed him in the Support Bill for Extraordinary Services.....	20	0	0
675	To the Hoñble Peter Kemble Esq. one of the Members of His Majesty's Council for forty-three days attendance at the Session of the General Assembly begun the 10th day of November last at 6/ P Day.....	12	18	0
676	To the Hoñble David Ogden Esq. one of the Members of His Majesty's Council for thirty eight days attendance in the like manner.....	11	8	0
N° 677	To the Rt Hoñble the Earl of Stirling one of the Members of His Majesty's Council for thirty five days attendance in like manner.....	10	10	—
678	To the Hoñble John Stevens Esq. one of the Members of His Majesty's Council for sixty eight days attendance in like manner.....	20	8	—
679	To the Hoñble Samuel Smith Esq. one of the Members of His Majesty's Council for eighty days attendance in like manner.....	24	0	—
680	To the Hoñble James Parker Esq. one of the Members of His Majesty's Council for seventy nine days in like manner.....	23	14	—
681	To the Hoñble Frederick Smyth Esq. one of the Members of His Majesty's Council for forty nine days attendance in like manner.....	14	14	—
682	To the Hoñble Richard Stockton Esq. one of the Members of His Majesty's Council for eighty eight days attendance in like manner.....	26	8	0

683	To the Hoñble Stephen Skinner Esq. one of the Members of His Majesty's Council for seventy two days attendance in like manner.....	21 „ 12 „ —
684	To the Hoñble Daniel Coxe Esq. one of the Members of His Majesty's Council for eighty four days attendance in like manner..	25 „ 4 „ —
N° 685	To the Hoñble John Lawrence Esq. one of the Members of his Majesty's Council for eighty days attendance in like manner.....	24 „ 0 „ —
686	To the Hoñble Stephen Skinner Esq. late one of the Treasurers for cancelling £7840 „ 16 „ 6 being the Amount of the Sinking Fund for the Years 1769 & 1770 P Certificates produced in Council.....	78 „ 8 „ 2
687	To Edward Hasswell Sergeant at Arms to the Council for eighty days attendance during the Session of Assembly begun the 10th November last at 3 P Day.....	12 „ 0 „ 0
688	To David Overton Doorkeeper to the House of Assembly for eighty days attendance as above at 3/6 P Day...	14 „ 0 „ 0
689	To Thomas Witherill Sergeant at Arms to the House of Assembly for eighty days attendance at 3/ P Day..	12 „ 0 „ 0
690	To his Excellency William Franklin Esq. for the use of the Hoñble Charles Read Esq. for the Salary of the said Charles Read from the 21st of May to the 1st of October last, as one of the Justices of the Supreme Court.....	36 „ 2 „ 2

691 To the Hoñble David Ogden Esq. for holding a Circuit Court in Morris in Septem[r] last, and a Circuit Court in Essex in September last..... 20 „ 0 „ —

At a Council held at Burlington the 31[st] day of March 1774

Present
His Excellency The Governor

Samuel Smith Esq.
Daniel Coxe Esq.
John Lawrence Esq.

His Excellency was Pleased to sign the following Warrants directed to the Treasurers of New Jersey, or either of them ordering them to pay

No 692 To himself or Order for one Q[rs] Salary as Commander in Chief of the Colony ending this day..... 300 „ 0 „ 0
693 To the same for one Q[rs] House Rent ending this Day..... 15 „ 0 „ 0
694 To the Hoñble David Ogden Esq. one of the Judges of the Supreme Court for one Q[rs] Salary ending this day.. 37 „ 10 „ —
695 To the Hoñble Samuel Smith Esq. one of the Treasurers for one Q[rs] Salary ending this day..... 10 „ 0 „ —
696 To Cortland Skinner Esq. Att[y] General for one Q[rs] Salary ending this day..... 10 „ 0 „ —
697 To Charles Pettit Esq. Deputy Clerk of the Council for one Q[rs] Salary ending this day..... 7 „ 10 „ —
698 To Joseph Smith Esq. for the use of

	Doctor Benjamin Franklin Agent for this Colony for one Q^rs Salary ending this day.....	25 „	0 „	0
699	To Joseph Warrell Esq. Clerk of the Circuits for one Q^rs Salary ending this day.....	5 „	0 „	0
700	To Richard Smith Esq. one of the Clerks of the Assembly for the Amount of his Account for Services at the last Session of the General Assembly.....	122 „	7 „	4
701	To John Carty Doorkeeper to the Council for one Q^rs Salary ending this day.....	2 „	10 „	—

His Excellency was pleased to lay before the Board the Memorial of Micajah Willets Esq. one of the Justices of the Peace in the County of Monmouth requesting leave to resign his said Office, whereupon the Council advised his Excellency to Order that a Supercedeas do issue directed to the said Micajah Willets.

His Excellency was pleased to lay before the Board a Memorial and Certificate from sundry of the Inhabitants of Great Eggharbour in the County of Gloucester, shewing that the Division of the said Township as set forth in the Petition from some of the Inhabitants of the same presented to the Board on the third day of January last was made at a publick Annual Town Meeting of the Inhabitants in March 1772, and that the Granting a Patent pursuant to the Prayer of the said Petition will be highly agreeable to the generality of the People of the said Township, without being displeasing to any of them.

Whereupon the Council advised his Excellency to Order that a Patent do issue pursuant to the Prayer of the said Petition

His Excellency was pleased to Nominate Baldwin Wake to be a Justice of the Peace in the County of Burlington and

William Pidgeon Esq. to be a Justice of the Peace in the Counties of Burlington and Monmouth, to which the Council Assented.

Samuel Allinson Esq. being appointed by the Legislature to Collate and publish a new Edition of the Laws of this Colony, and having requested leave to peruse the Minutes of the Council relative to the said Laws.

It is Ordered that he have leave to peruse the three first volumes of the Minutes of Council.

A true Copy of the Minutes of the Privy Council of New Jersey from the 22^{d} Day of February 1773 to the 31st Day of March 1774 inclusive

Examined by
CHA^{s} PETTIT D Secr^{y}
& Clerk of the Council.

[L. S.] A Journal of the Votes and proceedings of His Majesty's Council for the Province of New Jersey, at a Session of the General Assembly begun and holden at the City of Burlington in and for the said Province on Wednesday the tenth day of November in the fourteenth Year of the Reign of His Majesty King George the Third.—Anno Domini 1773.

Wednesday November 10th The House met

Present

David Ogden Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	John Lawrence Esq.
The Chief Justice	

The House continued till tomorrow

Thursday November 11th The House met

Present

David Ogden Esq.	Richard Stockton Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
The Chief Justice	John Lawrence Esq.

The House continued till tomorrow

Friday November 12th The House met

Present

David Ogden Esq.	Richard Stockton Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
The Chief Justice	John Lawrence Esq.

His Excellency came into the Council Chamber and having by the Deputy Secretary commanded the Attendance of the House of Assembly, the Speaker with the House attended, when his Excellency was pleased to make a Speech to both Houses in the following words.

Gentlemen of the Council, and Gentlemen of the General Assembly.

A discovery was made some time in the begining of the last Summer of a number of Persons in the Counties of Middlesex and Monmouth, concerned in making a base kind of half-Johannes and Spanish Dollars, which happily led to the discovery of another Gang of Villians in the Counties of Morris and Sussex, who had for several years past been employed in counterfieiting and passing the Paper Currency of this and the neighbouring Colonies. From the Confessions of some of them corroberated by many striking Circumstances, the Affair of the Robbery of the Treasury, which had remained so long enveloped in Darkness, has likewise been brought to Light.—Unluckily some of each Gang have made

their Escape out of the Province, but all of the former who were apprehended, and one of the Chief of the latter, have received that Punishment for their Crimes, which the Law would permit. Three others who were sentenced to Death, have been respited, for very particular Reasons, as you will see by the Papers I shall Order to be laid before you. No Endeavors have been, or shall be, wanting, on my part, to have those who escaped apprehended and brought to Justice.

As the mischief in which these Persons were engaged is of such extensive and pernicious a Nature, I cannot but congratulate you upon the Stop which has been put to its further Progress: Nor can I doubt but you will think with me, that the Thanks and grateful Acknowledgments of the publick are due to those Gentlemen who have with great Zeal and Abilities, and with considerable Trouble, and Expence, been the Means of detecting and apprehending the Authors of it. On this Occasion, I think it proper to recommend to you, the passing of a Law to make it Felony to counterfiet in this Province the Silver and Gold Coins of Foreign Countries. Many of them have now so general a circulation here, that the mischiefs resulting from their being counterfieted, may be as destructive as the counterfieting of our own Paper Currency.

Gentlemen of the General Assembly

Besides making due Provision for the Support of Government, I have to request that you would grant a supply for the King's Troops now stationed in this Colony. As I apprehended it would be very inconvenient to your private Affairs, had I called you together at the Season when the Troops arrived, I desired Major General Haldimand to let the Barrack Master General furnish the Troops with the usual necessaries supplied by the Province, and gave him Reason to expect that you would at your first meeting, provide for any reasonable Expence which might be incurred on that Account. This the General was so Obliging as to do

and I trust you will not be deficient in evincing that you have a proper sense of the Kindness. The Barrack Masters Accounts shall be laid before you as soon as they can be prepared.

I must likewise recommend it to you to enable me as soon as possible to offer such Rewards and Encouragements for apprehending and bringing to Justice the Persons accused of Counterfieting our Paper Currency and robbing the Treasury, as will become the Honor of the Province and the Importance of the Occasion. For want of a Fund appropriated to answer contingent Expences, this Province often Labours under Considerable disadvantages. In all probability if Government had been empowered to hire a number of active Men to have gone off immediately in different Parties in pursuit of those Delinquents they would ere now have received the Punishment due to their Crimes.

Gentlemen of the Council, and Gentlemen of the General Assembly.

I am never so happy as when I have an Opportunity of promoting the publick welfare, and as I know of nothing which has a chance to contribute more to that desirable End, than Harmony between the several Branches of the Legislature, I shall not fail to cultivate it as much as may be in my Power, and I flatter myself that I shall, during the Course of the ensuing Session, meet with the same disposition on your Parts.

Council Chamber
November 12th 1773 } Wm Franklin.

The House continued till tomorrow

Saturday November 13th The House met

Present

David Ogden Esq.	Richard Stockton Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
The Chief Justice	John Lawrence Esq

The House continued till Monday.

Monday November 15th The House met

Present

David Ogden Esq.	The Chief Justice
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.

The House continued till tomorrow

Tuesday November 16th The House met

Present

Peter Kemble Esq.	The Chief Justice
David Ogden Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	John Lawrence Esq.
James Parker Esq.	

The House continued till tomorrow

Wednesday November 17th the House met

Present

Peter Kemble Esq.	The Chief Justice
David Ogden Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	John Lawrence Esq.
James Parker Esq.	

Collonel Ford and M^r^ Vanhorne from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Naturalize Lucas Van Beverhoudt," which was read the first time and ordered a second reading.

The House continued till tomorrow

Thursday November 18^th^ The House met

Present

David Ogden Esq	The Chief Justice
Samuel Smith Esq.	Richard Stockton Esq.
James Parker Esq.	John Lawrence Esq.

The House continued till tomorrow

Friday November 19^th^ The House met

Present

David Ogden Esq	Richard Stockton Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
The Chief Justice.	

The Bill intituled "An Act to Naturalize Lucas Van Beverhoudt" was read a second time and Committed to the Members of this House or any three of them.

The House continued till tomorrow

Saturday November 20^th^ The House met

Present

David Ogden Esq.	Richard Stockton Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
The Chief Justice	

Mr Fisher and Mr Wetherill from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for lowering the Interest of Money to six per Cent within this Colony" and

A Bill intituled "An Act to Enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on Masons Creek in the Township of Evesham in the County of Burlington, to Erect and maintain a Bank Dam and other Water Works across the said Creek in Order to prevent the Tide from overflowing the same

Which Bills were read the first time and severally ordered a second reading.

Mr Gibbon and Mr Eldridge from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Enable the Owners and Possessors of a Tract of Marsh and Meadow in Lower Penns Neck in the County of Salem to uphold and maintain a certain Bank for draining the said Marsh, and for other purposes therein mentioned."

Which was read the first time and ordered a second Reading.

The House continued till tomorrow

Tuesday November 23d The House met

Present

Peter Kemble Esq.	The Chief Justice.
David Ogden Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	John Lawrence Esq.
James Parker Esq.	

Mr Coxe from the Committee to whom was referred the Bill intituled "An Act to naturalize Lucas Van Beverhoudt" reported that the said Committee had gone through the said Bill and had made sundry Amendments thereto which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Coxe read the said Amendments in his Place and delivered them in at the Table.

And the same Amendments being again read, were approved by the House, and ordered to be ingrossed.

The ingrossed Amendments to the Bill intituled "An Act to Naturalize Lucas Van Beverhoudt" being read and compared

Ordered, that the Speaker do sign the same

The Bill intituled "An Act to Naturalize Lucas Van Beverhoudt" was read the third time, with the Amendments in their Places.

On the Question

Ordered, that the said Bill as Amended do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Coxe do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence to the said Amendments.

Mr Coxe reported that he had Obeyed the Order of the House.

A Message from the House of Assembly in the words following.

"Ordered, that Mr Wetherill, Mr Crane, Mr Sykes, Mr Tucker, Mr Demarest, Mr Hinchman and Mr Shepherd, or any three of them be a Committee to join a Committee of the Council to adjust the Western Treasurers Accounts, and burn the Cancelled Money in his Hands, and make Report to the House."

"Ordered, that the said Committee or any three of them do in conjunction with a Committee of the Council settle all publick Lottery Accounts that may come before the House this Session."

"Ordered, that Mr Dey and Mr Roy do inform the Council thereof and desire the Council to appoint a Committee to join the Committee of this House, to settle the Accounts aforesaid, together with the time and Place of Meeting.

Mr Holme and Mr Elmer from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Enable the Owners and Possessors of a Tract of Marsh and Swamp in Upper Penns Neck in the County of Salem, to Erect and Maintain a Bank Dam and other Water Works in Order to prevent the Tide from overflowing the same," Which Bill was read the first time and ordered a second reading.

Mr Taylor and Mr Coombe from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the better preserving of Oysters in the Colony of New Jersey," Which Bill was read the first time and ordered a second reading.

The House continued till tomorrow

Wednesday November 24th The House met

Present

Peter Kemble Esq.	The Chief Justice
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.

Mr Winds and Mr Pettit from the House of Assembly brought up from thence the Bill reingrossed with the Amendments made by this House, intituled "An Act to Naturalize Lucas Van Beverhoudt," Which reingrossed Bill being read and compared

On the Question

Resolved, that the same do pass

Ordered, that the Speaker do sign the same

The Bill intituled "An Act to enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on Masons Creek in the Township of Evesham in the County of Burlington to Erect and maintain a Bank Dam and other Water Works &c was read a second time and ordered a third reading.

The Bill intituled "An Act to Enable the Owners and Possessors of a Tract of Marsh and Meadow in Lower Penns Neck in the County of Salem to uphold and maintain a certain Bank for draining the said Marsh and for other purposes therein mentioned" was read the second time and Ordered a third reading.

The Bill intituled "An Act to Enable the Owners and Possessors of a Tract of Marsh and Swamp in upper Penns Neck in the County of Salem to Erect and Maintain a Bank Dam and other Water Works in order to prevent the Tide from overflowing the same" was read a second time and ordered a third reading.

The Bill intituled "An Act for the better preserving of Oysters in the Colony of New Jersey" was read a second time and ordered a third reading.

The Bill intituled "An Act for lowering the Interest of Money to six per Cent within this Colony" was read the second time and committed to the Members of this House or any three of them.

Mr Fisher and Mr Wetherill from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the better Regulation of Juries" which was read the first time, and ordered a second reading.

The House continued till tomorrow

Thursday November 25th The House met

Present.

Peter Kemble Esq.	The Chief Justice
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	John Lawrence Esq.
James Parker Esq.	

Mr Mehelm and Mr Gibbon from the House of Assembly presented for the Concurrence of this House a Bill intituled

"An Act for the Relief of Abner Hetfield an Insolvent Debtor" Which was read the first time and ordered a second Reading.

The Bill intituled "An Act to Enable Sundry of the Owners and Possessors of Meadows and Tide Marsh lying on Masons Creek in the Township of Evesham in the County of Burlington, to Erect and maintain a Bank Dam, and other Water Works across the said Creek in order to prevent the Tide from overflowing the same" was read the third time, and

On the Question,

Resolved, that the said Bill do pass.

Ordered, that the Speaker do sign the same.

The Bill intituled "An Act to Enable the Owners and Possessors of a Tract of Marsh and Meadow in lower Penns Neck in the County of Salem, to uphold and maintain a certain Bank for draining the said Marsh and for other Purposes therein mentioned" was read the third time, and

On the Question

Resolved, that the said Bill do pass

Ordered, that the Speaker do sign the same

The Bill intituled "An Act to Enable the Owners and Possessors of a Tract of Marsh and Swamp in upper Penns Neck in the County of Salem" to Erect and maintain a Bank, Dam, and other Water Works in order to prevent the Tide from overflowing the same" was read the third time, and

On the Question

Resolved, that the said Bill do pass.

Ordered, that the Speaker do sign the same

The Bill intituled "An Act for the better preserving of Oysters in the Colony of New Jersey" was read the third time, and

On the Question

Resolved, that the said Bill do pass.

Ordered, that the Speaker do sign the same

Ordered, that M^{r} Skinner do acquaint the House of Assembly that the four last mentioned Bills are passed by this House without any Amendments.

Mr Skinner reported that he had obeyed the Order of the House.

The Bill intituled "An Act for the better Regulation of Juries" was read the second time, and

On the Question

Resolved, that the said Bill be committed to the Members of this [house] or any three of them.

The House continued till tomorrow

Friday November 26th The House met

Present

Peter Kemble Esq.	The Chief Justice
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	John Lawrence Esq.
James Parker Esq.	

The Bill intituled "An Act for the Relief of Abner Hetfield an Insolvent Debtor" was read the second time and Ordered a third reading.

The House continued till tomorrow

Saturday November 27th The House met

Present

Peter Kemble Esq.	The Chief Justice
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	John Lawrence Esq.
James Parker Esq.	

The Bill intituled "An Act for the Relief of Abner Hetfield an Insolvent Debtor" was read the third time, and

On the Question

Resolved, that the said Bill do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Stockton do acquaint the House of Assembly that the said Bill is passed by this House without any Amendment.

Mr Stockton reported that he had obeyed the Order of the House.

The House continued till Monday.

Monday November 29th The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	The Chief Justice
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	

The House taking into Consideration the Message from the House of Assembly of the 23d Instant.

Ordered that Mr Stevens, Mr Stockton & Mr Coxe or any two of them be a Committee to join the Committee of the House of Assembly to adjust and settle the Western Treasurers Accounts, and burn the Cancelled Money in his Hands. And also to settle all publick Lottery Accounts that may come before the House this Session, and make Report thereof to this House, and

That the said Committees do meet for the purpose aforesaid at the House of the said Treasurer at three o'Clock tomorrow afternoon

Ordered, that Mr Ogden do acquaint the House of Assembly therewith.

Mr Ogden reported that he had obeyed the Order of the House.

The House continued till tomorrow

Tuesday November 30th The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	The Chief Justice
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	

Mr Combs, and Mr Eldridge from the House of Assembly presented for the Concurrence of this House a Bill intituled An Act to repair and Amend the publick Roads and Streets in the Northern Ward of the City of Perth Amboy and to repair the Town Wharf in the said City by a Tax on the Inhabitants of the said Northern Ward, and for other Uses & Purposes therein mentioned

Which was read the first time, and ordered a second reading.

The House continued till tomorrow.

Wednesday December 1st The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	The Chief Justice
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	

The Bill intituled "An Act to repair and Amend the Publick Roads and Streets in the Northern Ward of the City of Perth Amboy" &c was read the second time and ordered a third reading

Mr Stevens from the Committee appointed to meet a Committee of the House of Assembly to adjust and settle the Western Treasurers Accounts, and burn the Cancelled

Money in his Hands, and to settle all the publick Lottery Accounts, that shall come before the House this Session" Reported that the said Committees had met according to Appointment that they had stated and settled the said Treasurers Accounts and burned the Cancelled Money in his Hands, of which proceedings he was ready to make Report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Stevens read the said Accounts in his Place and delivered them in at the Table.

And the said Accounts having been again read and Considered by the House

On the Question,

Resolved, that the House do approve thereof

Ordered, that the said Accounts be entered at length on the Journals of this House, which are as follow.

Dr Samuel Smith Esq. Treasurer Sinking Fund Acct Cr

1771		1772	
Novr 29th To Ballance reported to the Council and Assembly this day	2183 „ 17 „ 8	May 13. By Bills of Credit Cancelled by the Justices and Freeholders as P their Certificate dated May 13th 1772 and burned by the Committees this first of Decr 1773	6856 „ 17 „ 9
Novr To the Sinking Fund Tax directed to be raised this Year vizt		1773	
Burlington	1339 „ 11 „ 0	May 12th By Bill of Credit Cancelled by the Justices & Freeholders as P their Certificate dated May 12th 1773 and burned by the Committees this first of December 1773	7914 „ 6 „ 4½
Gloucester	953 „ 18 „ 0		
Salem	849 „ 10 „ —		
Cumberland	481 „ 13 „ —		
Cape May	208 „ 13 „ —		
Hunterdon	1704 „ 16 „ —		
Sussex	741 „ 12 „ —		
	6279 „ 13 „ 0		
1772			
Novr To the Sinking Fund Tax directed to be raised this Year vizt			
Burlington	1339 „ 11 „ 0		
Gloucester	953 „ 18 „ —		

Salem	849 „ 10 „ —	
Cumberland	481 „ 13 „ —	
Cape May	208 „ 13 „ —	
Hunterdon	1704 „ 16 „ —	
Sussex	741 „ 12 „ —	
	6279 „ 13 „ 0	
	14743 „ 3 „ 8	
Ballance due to the Treasurer	28 „ 0 „ 5½	
	£14771 „ 4 „ 1½	£14771 „ 4 „ 1½

Errors Excepted December 1st 1773

By Order of the Committees.

Jn° Stevens
Sam[l] Tucker

Dr Samuel Smith Esq Treasurer. Support of Government Cr

1771		1773	
Novr 30th To Ballance of Acct reported to the Council & Assembly this day	828 „ 11 „ 8¾	By Sundry Vouchers from Number 1 to Number 74 inclusive all examined allowed & indorsed the 30th of November 1773	2657 „ 11 „ 0
1772		Ballance due to the Province including the Western Moiety of One Thousand Pounds which the Treasurers are directed by Acts of Assembly of 31 of George the Second & 12 of George the third to retain in their Hands for the use of the Committee of Correspondence	1079 „ 19 „ 11
Febr 26th To Cash of John Hoskins being the Ballance of his Acct as Barrack Master	9 „ 5 „ 6		
Augst 17. To Cash of Wilson Hunt on Acct of the Ballance due from him to the Province	300 „ 0 „ 0		
Septr 24. To Cash of the Widow Sharp Ex[x] of Isaac Sharp decd being part of the deficient Loan Office Money of Salem County	161 „ 13 „ 0½		

1773		
May 31. To Cash of William Hancock Exr of William Hancock dec^{d} being part of the deficient Loan Office Money of Salem County.....	105 „ 18 „ 5	
To Cash of Grant Gibbon Adms of Nich^{s} Gibbon dec^{d} being part of the deficient Loan Office Money of Salem County.....	198 „ 13 „ 0½	
Nov^{r} 18 To Cash of James Parker Esq in part of the Eastern Proprietors Bond.....	600 „ 0 „ 0	
To the Taxes of the following Counties for Support of Governm^{t} payable into the Treasury the 21st November 1773 viz^{t}..		
Cumberland.....134 „ 17 „ 0		
Hunterdon.....477 „ 7 „ 0		
Burlington.....375 „ 1 „ -		
Salem .....237 „ 17 „ 0		
Gloucester.....267 „ 1 „ -		
	1492 „ 3 „ 0	
To 1 old deficiency from Cape May.....	— „ 4 „ 7½	
To 2 old deficiencies from Hunterdon.....	7 „ 11 „ 9½	
To 3 old deficiencies from Burlington.....	33 „ 9 „ 9½	
	£3737 „ 10 „ 11	£3737 „ 10 „ 11

Errors Excepted December 1st 1773

By Order of the Committees

Jn° Stevens.

Sam^{l} Tucker.

The House continued till tomorrow

Thursday December 2d The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	The Chief Justice
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	

Mr Hand and Mr Elmer from the House of Assembly presented for the Concurrence of this House a Bill intituled 'An Act to suspend the prosecution of the County Collecto r "of Cape May for a limitted time upon certain Conditions therein expressed," and

A Bill intituled "An Act to naturalize Jacob Chestnutwood, which Bills were read the first time, and severally Ordered a second reading.

The House continued till tomorrow

Friday December 3d The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	The Chief Justice
The Earl of Stirling	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.

The Bill intituled "An Act to suspend the prosecution of the County Collector of Cape May" &c was read the second Time and Ordered a third reading.

Mr Hinchman and Mr Shepherd from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for erecting a Dam Mills and other Works on Nacut * Creek in the County of Gloucester and to

*Nacote.

indemnify those whose Property may be injured thereby"— Which Bill was read the first time, and ordered a second reading.

The House continued till tomorrow

Saturday December 4th The House met

Present

Peter Kemble Esq.	The Chief Justice
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	John Lawrence Esq.
James Parker Esq.	

Mr Price and Mr Sykes from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Enable the Owners and Possessors of the Meadows and Marsh adjoining Repaupo Creek in the County of Gloucester, to Erect cast up repair and maintain a Dam and Bank, and Water Works sufficient to prevent the Tide from overflowing the same" which was read the first time and ordered a second Reading.

The Bill intituled "An Act for Erecting a Dam Mills and other Water Works on Nacut Creek in the County of Gloucester and to indemnify those whose Property may be injured thereby" was read the second time and Committed to the Members of this House or any three of them.

The House continued till Monday

Monday December 6th The House met

Present

Peter Kemble Esq.	The Chief Justice
David Ogden Esq.	Richard Stockton Esq.
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	John Lawrence Esq.
James Parker Esq.	

The Bill intituled "An Act to Enable the Owners and Possessors of the Meadows and Marshes adjoining Repaupo Creek" &c was read the second time and referred to a Committee of this House or any three of the Members.

The House continued till tomorrow

Tuesday December 7th The House met

Present

Peter Kemble Esq.	The Chief Justice
David Ogden Esq.	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.

The Bill intituled "An Act to suspend the Prosecution of the County Collector of Cape May for a limitted time" was read the third time, and

On the Question

Resolved, that the said Bill do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Parker do acquaint the House of Assembly therewith.

Mr Parker reported that he had obeyed the Order of the House

Mr Parker from the Committee to whom was referred the

Bill intituled "An Act to Enable the Owners of the Meadows and Marsh adjoining Repaupo Creek" &c. reported that the said Committee had gone through the said Bill without making any Amendments thereto and that he was ready to report the said Bill when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Parker read the said Bill in his Place and delivered it in at the Table.

The Bill intituled "An Act to Enable the Owners and possessors of the Meadows and Marsh adjoining Repaupo Creek in the County of Gloucester, to erect, cast up, repair and maintain a Dam Bank and Water Works sufficient to prevent the Tide from overflowing the same" was read the third time, and

On the Question

Resolved, that the said Bill do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Parker do acquaint the House of Assembly therewith.

Mr Parker reported that he had obeyed the Order of the House.

Mr Coombs and Mr Elmer from the House of Assembly presented for the Concurrence of this House a Bill intituled "A Supplementary Act to An Act intituled An Act for the regulating Fences"—which was read the first time, and Ordered a second Reading.

Mr Hewlings and Mr Sykes from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on English's Creek in the County of Burlington to erect and maintain a Bank Dam and other Water Works across the said Creek in Order to prevent the Tide from over flowing the same, and to keep the former Water Course of said Creek open and clear, and to make the said Dam when erected a publick Landing" Which was read the first time, and ordered a second Reading.

The Bill intituled "An Act to naturalize Jacob Chestnutwood" was read the second time and ordered a third reading.

The House continued till tomorrow

Wednesday December 8th the House met

Present

Peter Kemble Esq.	The Chief Justice.
David Ogden Esq.	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.

The Bill intituled "An Act to naturalize Jacob Chestnutwood" was read the third time, and

On the Question

Resolved, that the said Bill do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Stockton do acquaint the House of Assembly therewith.

The Bill intituled "A Supplementary Act to An Act intituled An Act for the Regulating Fences" was read the second time and committed to the Members of this House or any three of them

The Bill intituled "An Act to enable Sundry of the Owners and Possessors of Meadows and Tide Marsh lying on English's Creek" &c was read the second time and Ordered a third reading.

Mr Stockton reported that he had obeyed the Order of the House.

Mr Stockton from the Committee to whom was referred the Bill intituled "An Act for Erecting a Dam Mills & other Water Works on Nacut Creek in the County of Gloucester, and to indemnify those whose Property may be injured thereby reported that the said Committee had gone through the said Bill and made sundry Amendmts thereto, which he

was ready to report when the House would be Pleased to receive the same

Ordered, that the said Report be made immediately.

Whereupon Mr Stockton read the said Amendments in his Place, and delivered them in at the Table

And the said Amendments being again read were agreed to by the House.

The Bill intituled "An Act for Erecting a Dam Mills and other Water Works on Nacut Creek in the County of Gloucester, and to indemnify those whose Property may be injured thereby" was read the third time with the Amendments in their Places, and

On the Question

Resolved, that the said Bill as Amended do pass

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered, that Mr Stockton do carry the said Bill & Amendments to the House of Assembly and desire their Concurrence to the said Amendments.

The Bill intituled "An Act to repair and Amend the publick Roads and Streets in the Northern Ward of the City of Perth Amboy, and to repair the Town Wharff in the said City by a Tax on the Inhabitants of the said Northern Ward and for other Uses and purposes therein mentioned" was read a third time, and

On the Question

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Parker do acquaint the House of Assembly therewith.

Mr Stockton reported that he had obeyed the Order of the House

The House having taken into Consideration his Excellency's Speech at the opening of this Session, Resolved, that an Address be presented to his Excellency in Answer to the said Speech.

Ordered, that Mr Samuel Smith and Mr Chief Justice and Mr Coxe be a Committee to prepare and bring in a draught of the said Address

The House continued till tomorrow

Thursday December 9th The House met

Present

Peter Kemble Esq.	The Chief Justice.
David Ogden Esq.	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.

Mr Price and Mr Hewlings from the House of Assembly brought up the Bill reingrossed with the Amendments made by this House intituled "An Act for erecting a Dam Mills and other Water Works on Nacut Creek in the County of Gloucester, and to indemnify those whose Property may be injured thereby" Which reingrossed Bill being read and Compared,

Ordered, that the Speaker do sign the same

The House continued till tomorrow

Friday December 10th The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	The Chief Justice
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	John Lawrence Esq.

Mr Lawrence from the Committee to whom was referred the Bill intituled "A Supplementary Act to An Act intituled An Act for the Regulating Fences" reported that the said

Committee had gone through the said Bill and made some Amendments thereto, which he was ready to report when the House would be Pleased to receive the same.

Ordered that the said report be made immediately

Whereupon Mr Lawrence read the said Amendments in his Place and delivered them in at the Table.

And the same being again read were agreed to by the House

The Bill intituled "A Supplementary Act to An Act intituled An Act for regulating Fences" was read the third time with the Amendments in their Places and,

On the Question

Resolved, that the said Bill as Amended do pass

Ordered, that the Speaker do sign the same.

Ordered, that Mr Lawrence do carry the said Bill and Amendments to the House of Assembly, and desire their Concurrence with the said Amendments

Mr Lawrence reported that he had obeyed the Order of the House.

Mr Ogden with leave withdrew from the House

The Chief Justice from the Committee appointed to prepare and bring in the Draught of An Address to his Excellency in Answer to his Speech at the Opening of the Session, reported that the said Committee had prepared a Draught of an Address to His Excellency pursuant to the Order of the House, which Draught he was ready to Report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately

Whereupon the Chief Justice read the said Draught in his Place, and delivered it in at the Table.

And the said Draught being again read was agreed to by the House and ordered to be engrossed

The Engrossed Address being read and compared

Ordered that the Speaker do sign the same

Ordered, that Mr Skinner and Mr Coxe do wait upon his Excellency and request to Know when his Excellency will be Pleased to receive the Address of this House.

Mr Skinner reported that Mr Coxe and himself had waited upon his Excellency pursuant to the Order of the House, and that his Excellency was Pleased to say he would be in the Council Chamber tomorrow morning and would then be ready to receive the Address of the House.

The House taking into Consideration the Advantages resulting to the publick from the Prosecution and Conviction of the Counterfeiters of the Current Money of this Province, with the Discoveries made relative to the Robbery of the Eastern Treasury, and being convinced that those valuable services were principally effected by the prudent Conduct and Commendable Zeal in the Cause of publick Justice exerted by certain worthy Magistrates and others in the Course of those prosecutions.

Resolved, that the Thanks of this House be given to the Honourable Mr Justice Ogden, the Attorney General, Samuel Tuthill, and Samuel Ogden Esqrs as a Testimony of the Approbation of this House of the Conduct of those Magistrates and other Gentlemen Active in the prosecutions above alluded to.

The House continued till tomorrow

Saturday December 11th The House met

Present

Peter Kemble Esq.	James Parker Esq.
David Ogden Esq.	The Chief Justice
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	Daniel Coxe Esq.
Samuel Smith Esq.	John Lawrence Esq.

Mr Wetherill and Collonel Ford from the House of Assembly brought back the Bill intituled "A Supplementary Act to an Act intituled An Act for the regulating Fences" reingrossed with the Amendments of this House Which reingrossed Bill being read and compared

Ordered, that the Speaker do sign the same.

His Excellency came into the Council Chamber and having signified to the House that he was ready to receive their Address, The House waited upon his Excellency and by their Speaker presented their Address in the following words.

To His Excellency William Franklin Esq. Captain General, Governor, and Commander-in-Chief in and over the Province of New Jersey, and Territories thereon depending in America, Chancellor and Vice Admiral in the same &c

The humble Address of His Majesty's Council for the said Province.

May it Please your Excellency,

We his Majesty's most dutiful and Loyal Subjects, the Council of the Province of New Jersey, beg leave to return our Thanks for your Excellency's Speech at the Opening of this Session, in which We discern such sentiments of Zeal for the Honour and Real welfare of the Province, as justly call for our warmest Acknowledgements and Approbation.

The mischieveous Consequences resulting to the publick from the frequency of the Crime of counterfeiting the Current Money of this and the neighbouring Colonies, became of late so truly alarming that we must consider it a fortunate Event that some of the Perpetrators of that Crime have been apprehended and brought to Justice in this Province. The Advantages to the publick from the Prosecution of those Offenders will We hope be greatly Augmented by the discovery of the Roberry of the Eastern Treasury, which the Confession of some of those Criminals, confirmed by so many Corrobarating Circumstances since brought to View seem fully to evince; and we earnestly hope that the Measures taken by Government to attain the Justice due to the publick for the Perpetration of such daring Crimes, may at length be crowned with that Success which may reasonably be expected from Endeavors so laudably exerted for that purpose.

We heartily concur with your Excellency, that the thanks and grateful Acknowledgements of the publick are due to those Magistrates and others, whose Zeal in the Cause of publick Justice, exerted in the several prosecutions alluded to in your Speech reflect the highest Honour upon themselves, and must be productive of very beneficial Consequences to the publick. We have so high a sense of the Merit and Services of those Gentlemen, that We think them intitled to more substantial Marks of the favour of Government than mere thanks and commendations, as it must ever be consistent with sound Policy, and with the Principals of good Government to encourage by every persuasive Incitement, Zeal to maintain, and resolution to enforce those Laws upon the due Execution of which secret Villanies and open Violencies may be detected and brought to Justice.

We trust sir that a disposition for Harmony and Moderation so essential to the regular dispatch of publick Business, and which this House would ever wish to Convince your Excellency they are actuated by will be evident in their Transactions of this Session and be perfectly consistent with the Duty we owe to our Sovereign, to the publick, and to our own Station.

Council Chamber } By Order of the House
December 10th 1773 } PETER KEMBLE Speaker

To which his Excellency was Pleased to make the following Reply.

Gentlemen.

I return you my hearty Thanks for this obliging Address.

The Experience I have had of your Attention to the publick good, convinces me that I may always Rely on your Assistance in promoting the Reputation and Prosperity of the Province: and it ever Affords me Pleasure to find my Opinion in publick Matters concurring with your Sentiments, and my publick Conduct meeting with your Approbation.

The House continued till Monday

Monday December 13th The House met

Present

Peter Kemble Esq.	The Chief Justice
The Earl of Stirling	Stephen Skinner Esq.
John Stevens Esq.	John Lawrence Esq.
Samuel Smith Esq.	

Mr Tucker and Mr Lawrence from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the more effectually suppressing Vice and Immorality" which was read the first time and ordered a second reading.

Mr Hand and Mr Elmer from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Enable the Owners and Possessors of Marshes, Meadows, and Swamps bounding on the South West Side of Raccoon Creek between the Banks of Constantine Wilkins and Conrad Shoemaker in the Township of Woolwich and County of Gloucester, Known by the name of the Thoroughfare Island Marshes Meadows, and Swamps to stop out the Tide from overflowing the same and for other purposes therein mentioned Which was read the first time and Ordered a second Reading.

The House continued till tomorrow

Tuesday December 14th The House met

Present

Peter Kemble Esq.	The Chief Justice
The Earl of Stirling	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.

The Bill intituled "An Act to Enable the Owners and Possessors of Marshes, Meadows and Swamps bounding on

the South West side of Raccoon Creek" &c was read the second time and ordered a third reading.

Mr Mehelm and Mr Hewlings from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for rebuilding repairing and maintaining the Draw Bridge over Crosswicks Creek in the County of Burlington and for repairing the Causeways adjoining said Bridge" which was read the first time, and Ordered a second Reading.

Mr Roy and Mr Elmer from the House of Assembly presented for the Concurrence of this House

A Bill intituled "An Act to revive part of An Act intituled An Act to Impower the Inhabitants of the Townships of Bridgewater and Bedminster in the County of Somerset, to repair their publick Highways by Hire, and to raise Money for that purpose, and

A Bill intituled "An Act to postpone the Payment of the Provincial Taxes into the Treasury of this Colony for one Month, and for other purposes therein mentioned," Which Bills were read the first time and severally ordered a second reading.

The Bill intituled "An Act for rebuilding repairing and maintaining the Draw Bridge over Crosswicks Creek" &c was read the second time and ordered a third reading.

The Bill intituled "An Act to Enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on English's Creek" &c was read the third time and, On the Question

Resolved, that the said Bill do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Stockton do acquaint the House of Assembly therewith

Mr Stockton reported that he had Obeyed the Order of the House

The House continued till tomorrow

Wednesday December 15th The House met

Present

Peter Kemble Esq.	The Chief Justice
The Earl of Stirling	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq	Daniel Coxe Esq.

The Bill intituled "An Act to revive part of An Act intituled "An Act to Impower the Inhabitants of the Townships of Bridgewater and Bedminster in the County of Somerset to repair their publick Highways by Hire and to raise Money for that purpose," was read the second time and ordered a third reading.

The Bill intituled "An Act for rebuilding repairing and maintaining the Draw Bridge over Crosswicks Creek in the County of Burlington and for repairing the Causeways adjoining said Bridge" was read the third time and, On the Question

Resolved, that the said Bill do pass

Ordered, that the Speaker do sign the same.

Ordered, that Mr Stockton do acquaint the House of Assembly therewith.

Mr Stockton reported that he had Obeyed the Order of the House

The Bill intituled "An Act to Postpone the Payment of the Provincial Taxes into the Treasury of this Colony for one Month, and for other purposes therein mentioned," was read the second time and Ordered a third reading

The Bill intituled "An Act to Enable the Owners and Possessors of Marshes Meadows and Swamps bounding on the South West side of Raccoon Creek between the Banks of Constantine Wilkins and Conrad Shoemaker in the Township of Woolwich and County of Gloucester Known by the name of the Thoroughfare Island Marshes Meadows and

Swamps to stop out the Tide from overflowing the same and for other purposes therein mentioned, was read the third time, and

On the Question

Resolved, that the said Bill do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Parker do acquaint the House of Assembly therewith.

The Bill intituled "An Act to postpone the Payment of the Provincial Taxes into the Treasury of this Colony for one Month and for other purposes therein mentioned" was read the third time, and

On the Question

Resolved, that the said Bill do pass

Ordered, that the Speaker do sign the same

The Bill intituled "An Act to revive part of An Act intituled "An Act to Impower the Inhabitants of the Townships of Bridgewater and Bedminster in the County of Somerset to repair their publick Highways by Hire, and to raise Money for that purpose," was read the third time, and

On the Question

Resolved, that the said Bill do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Parker do acquaint the House of Assembly that the two last mentioned Bills are passed in this House, without any Amendments.

Mr Parker reported that he had Obeyed the several Orders of the House of this Day.

The House continued till tomorrow

Thursday December 16th The House met

Present

Peter Kemble Esq.	The Chief Justice
The Earl of Stirling	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.

Mr Stockton from the Committee to whom was referred the Bill intituled "An Act for the better regulation of Juries, reported that the said Committee had gone through the said Bill and made sundry Amendments thereto which he was ready to report when the House would be Pleased to receive the same

Ordered, that the said Report be made immediately.

Whereupon Mr Stockton read the said Amendments in his Place and delivered them in at the Table

And the said Amendments being again read were agreed to by the House.

The House continued till tomorrow.

Friday December 17th The House met

Present

Peter Kemble Esq.	The Chief Justice
The Earl of Stirling	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.

The Bill intituled "An Act for the better Regulation of Juries" was read the third time with the Amendments in their Places and on the Question whether the said Bill as Amended do pass? It was carried in the Negative

Ordered, that the said Bill do lie on the Table

Mr Coxe from the Committee to whom was referred the Bill intituled "An Act for Lowering the Interest of Money to six per Cent within this Colony" reported that the said Committee had gone through the said Bill, and made sundry Amendments to the same, which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately

Whereupon Mr Coxe read the said Amendments in his Place, and delivered them in at the Table

And the said Amendments being again read were agreed to by the House.

The Bill intituled "An Act for lowering the Interest of Money to six per Cent within this Colony" was read the third time, and

On the Question

Resolved, that the said Bill as Amended do pass

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered, that Mr Coxe do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence to the said Amendments.

Mr Coxe reported that he had obeyed the Order of the House.

The House continued till tomorrow

Saturday December 18th The House met

Present

Peter Kemble Esq.	The Chief Justice
The Earl of Stirling	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.

The House continued till Monday.

Monday December 20th The House met

Present

Peter Kemble Esq.	The Chief Justice
The Earl of Stirling	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.

Mr Sykes and Mr Pettit from the House of Assembly brought back the Bill intituled "An Act for lowering the Interest of Money to six per Cent within this Colony" reingrossed with the Amendments made thereto by this House.

Which reingrossed Bill being read and Compared

Ordered, that the Speaker do Sign the same

Mr Price and Mr Holmes from the House of Assembly presented for the Concurrence of this House a Bill intituled "A Supplementary Act to An Act intituled An Act for the more effectual discovery and punishment of the Crime of Horse Stealing"

Which was read the first time and Ordered a second reading.

The House continued till tomorrow

Tuesday December 21st The House met

Present

Peter Kemble Esq.	The Chief Justice
The Earl of Stirling	Richard Stockton Esq.
John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.

The Bill intituled "An Act for the more effectually Suppressing Vice and Immorality" was read the second time,

and committed to the Members of this House or any three of them.

The Bill intituled "A Supplementary Act to An Act intituled An Act for the more effectual discovery and punishment of the Crime of Horse Stealing" was read the second time and committed to the Members of this House or any three of them.

The House observing from their Minutes of the 19th & 22d of September 1772 that Lord Stirling, Mr Stevens, Mr Stockton, and Mr Coxe, or any three of them were appointed a Committee to meet a Committee of the House of Assembly in a free Conferrence on the Subject of the Governors Message of the 18th of the said Month relative to the Roberry of the Eastern Treasury; and not finding that the said Committee hath hitherto made any Report upon the Matter to them referred

Ordered, that the said Committee do make their Report thereupon tomorrow morning.

The House continued till tomorrow

Wednesday December 22d The House met

Present

The Earl of Stirling	Richard Stockton Esq.
Samuel Smith Esq.	Stephen Skinner Esq.
James Parker Esq.	Daniel Coxe Esq.
The Chief Justice	John Lawrence Esq.

Pursuant to the Order of Yesterday Mr Stockton from the Committee appointed to meet a Committee of the House of Assembly in a free Conferrence on the Subject of the Governors Message relative to the Roberry of the Eastern Treasury, delivered in the Report of the said Committee in writing, which was read, and is in the following words vizt

"We the Subscribers being the Committee appointed to meet a Committee of the House of Assembly in a free Con-

ferrence on the Subject of the Governors Message relative to the Roberry of the Eastern Treasury do Report That your Committee met the said Committee of the House of Assembly on Tuesday the 22d day of September 1772 at the House of William Wright at Perth Amboy, and your Committee having opened the said Conferrence, did proceed to State the Mode which this House had previously agreed upon as the most proper and convenient to bring the Eastern Treasurer to a legal Trial, by filing an Information against him pursuant to an Order of the Governor and Council thereupon to be obtained; and after your Committee had stated the said Mode of Trial by Information, they proceeded to observe, that if such Mode by Information should be Judged improper, your Committee had no Objection to attend to any other Mode which should be proposed and esteemed less exceptionable. That on the part of the Committee of the House of Assembly, not only sundry Objections were made to the Mode of prosecution by Information; but they also informed your Committee that they could proceed no further in the Conferrence, either by accepting of the Mode of prosecution which had been proposed by your Committee, or by offering any other to the Consideration of your Committee, which they (the Committee of Assembly) might think less exceptionable unless the said Treasurer should be previously removed from his Office. And your Committee having informed the said Committee of Assembly that they (your Committee) had received no Authority from this House respecting that matter, and that therefore they could not enter upon the Consideration thereof, the said Conferrence thereupon broke up.

STIRLING
JOHN STEVENS
RICHd STOCKTON
DANIEL COXE

His Excellency came into the Council Chamber and informed the House that he had no Objection to the two

Houses adjourning themselves to Thursday the third day of February next, and that he had by the Deputy Secretary acquainted the House of Assembly therewith.

The House continued untill Thursday the third day of February next

1774

Thursday February the 3^{d} The House met

Present

Samuel Smith Esq.	Daniel Coxe Esq.
Richard Stockton Esq.	John Lawrence Esq.

The House continued till tomorrow

Friday February 4th The House met

Present

Samuel Smith Esq.	Daniel Coxe Esq.
Richard Stockton Esq.	John Lawrence Esq.

The House continued till tomorrow

Saturday February 5th The House met

Present

Samuel Smith Esq.	Daniel Coxe Esq.
Richard Stockton Esq.	John Lawrence Esq.

M^{r} Demarest and M^{r} Vanhorne from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Enable Sundry Persons and Possessors of certain Lands & Meadows lying upon the Wallkill" &c

M^{r} Roy and M^{r} Sykes from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the settlement and Relief of the Poor."

The House continued till Monday

Monday February 7th The House met

Present
Samuel Smith Esq.
Daniel Coxe Esq.
John Lawrence Esq.

Mr Holme and Mr Elmer from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to impower the Inhabitants of the Township of Elsingburgh and Pittsgrove in the County of Salem, to repair their publick Highways by Hire, and to raise Money for that purpose."

The House continued till tomorrow

Tuesday February 8th The House met

Present
Samuel Smith Esq.
Daniel Coxe Esq.
John Lawrence Esq.

The House continued till tomorrow

Wednesday February 9th The House met

Present

Samuel Smith Esq.	Daniel Coxe Esq.
Stephen Skinner Esq.	John Lawrence Esq.

Mr Coombs and Mr Mehelm from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Alter the Time of holding the Annual Town Meetings within this Colony"

The House continued till tomorrow

Thursday February 10th The House met

Present

Samuel Smith Esq.	Daniel Coxe Esq.
Richard Stockton Esq.	John Lawrence Esq.
Stephen Skinner Esq.	

The Bill intituled "An Act for the settlement and Relief of the Poor"

The Bill intituled "An Act to Impower the Inhabitants of the Township of Elsingborough and Pittsgrove in the County of Salem, to repair their publick Highways by Hire, and to raise Money for that purpose" and

The Bill intituled "An Act to alter the time of holding the Annual Town Meetings, within this Colony" were Severally read the first time and respectively ordered a second reading.

A Memorial was presented to the House by the Honble Samuel Smith Esq. Treasurer of the Western Division of this Province, shewing

That by the Act of the 12th of the Present King for enforcing the Payment of several Old Arrears &c a considerable part of the deficient Loan Office Money of Salem (received from the Widow Sharp, Executrix of Isaac Sharp deceased, William Hancock Executor of William Hancock deceased, and Grant Gibbon Administrator of Nicholas Gibbon deceased, and charged to your Memorialist in the Account of *Support of Government*, reported to the House the first of December last) is directed to be sunk agreeable to the general Design of the Loan Office Acts.

That the Memorialist hath now exchanged into the Current Bills of Credit of this Colony, four hundred and sixty one Pounds Eleven shillings and eight Pence three farthings, being the sum so directed to be sunk, and is ready to lay the same before the Council and House of Representatives when they will Please to order it.

Which Memorial was read the first time and ordered a second reading

Mr Fisher and Mr Crane from the House of Assembly presented for the concurrence of this House a Bill intituled "An Act for regulating Roads and Bridges" Which was read the first time, and Ordered a second reading.

Mr Sheppard and Mr Mehelm from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to regulate the Packing of Beef and Pork, and to ascertain the Size of Casks"

Which was read the first time, and Ordered a second Reading.

The House continued till tomorrow

Friday February 11th The House met

Present

Samuel Smith Esq.	Stephen Skinner Esq.
James Parker Esq.	Daniel Coxe Esq.
Richard Stockton Esq.	John Lawrence Esq.

A Message from the House of Assembly in the words following.

"Ordered, that Mr Sheppard, Mr Combs, Mr Tucker Mr "Demarest and Mr Mehelm, or any three of them, be a Com- "mittee to join a Committee of the Council to burn the sum "of four hundred and sixty one Pounds Eleven shillings and "Eight Pence three farthings Salem Loan Office Money in "the Hands of the Western Treasurer."

"Ordered, that Mr Sykes and Mr Pettit do inform the "Council thereof, and desire they will appoint a Committee of their House accordingly together with the time and Place of Meeting."

The Western Treasurers Memorial being read the second time, and the House taking into Consideration the Message from the House of Assembly of the tenth Instant.

Ordered, that Mr Stockton, Mr Coxe, and Mr Lawrence, or

any two of them be a Committee to join the Committee of the House of Assembly to Burn the sum of Four hundred sixty one Pounds Eleven shillings & eight Pence three farthings Salem Loan Office Money in the Hands of the Western Treasurer, and make report thereof to this House, And that the said Committees do meet for the purpose aforesaid at the House of the said Treasurer on Monday Morning next at nine o'Clock.

Ordered, that M^{r} Parker do acquaint the House of Assembly therewith.

The Bill intituled "An Act to Enable sundry Persons Proprietors and Possessors of certain Lands and Meadows lying upon the Wallkill in the County of Sussex commonly called and known by the name of the drowned Lands to drain the same, and for other purposes therein mentioned," was read the first time and ordered a second Reading.

The Bill intituled "An Act for the settlement and Relief of the Poor," was read the second time and committed to the Members of this House or any three of them.

The Bill intituled "An Act to Impower the Inhabitants of the Townships of Elsingburgh Pilesgrove and Pittsgrove in the County of Salem to repair their publick highways by hire, and to raise Money for that purpose," was read the second time and ordered a third reading.

The Bill intituled "An Act to alter the time of holding the Annual Town Meetings within this Colony was read the second time and Committed to the Members of this House or any three of them.

The Bill intituled "An Act for regulating Roads and Bridges" was read the second time and committed to the Members of this House or any three of them,

The Bill intituled "An Act to Regulate the packing of Beef and Pork, and to ascertain the size of Casks," was read the second time and committed to the Members of this House or any three of them.

The Bill intituled An Act to Enable sundry Persons, Pro-

prietors and Possessors of certain Lands and Meadows lying upon the Walkill" &c was read the second time and Committed to the Members of this House or any three of them

The House continued till tomorrow

Saturday February 12th The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

Mr Parker reported that he had obeyed the Order of the House Yesterday

The House continued till Monday

Monday February 14th The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

Mr Coxe from the Committee appointed to join the Committee of the House of Assembly to burn the sum of Four hundred sixty one Pounds Eleven Shillings and eight Pence three farthings Salem Loan Office Money in the Hands of the Western Treasurer Reported that the said Committees had met according to appointment, that they had examined and burned the said sum of four hundred sixty one Pounds Eleven shillings and eight Pence three farthings in Current Bills of Credit of this Colony; of which proceeding he was

ready to make Report whenever the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon, Mr Coxe read the said Report in his place and delivered it in at the Table.

And the said Report having been again Read and Considered by the House

On the Question,

Resolved, that the House do approve thereof

Ordered, that the said Report be entered at length on the Journals of this House, which are as follows

We the Committees appointed by the Council and House of Representatives to burn the deficient Loan Office Money of Salem and Cumberland—

Do Report that Samuel Smith Esq. Treasurer of the Western Division of this Colony laid before us the Sum of Four hundred and sixty one Pounds Eleven shillings and eight Pence three farthings in Current Bills of Credit of the Colony of New Jersey which was by us examined and burned this fourteenth Day of February Anno Domini One thousand seven hundred and seventy four according to the Directions of the Act of Assembly of the twelfth of the present King intituled "An Act to enforce the payment of several Old Arrears due to the Treasury of New Jersey," which said sum is charged to the said Treasurer in the Account for Support of Government reported to the Council and House of Representatives December the first One thousand seven hundred and seventy three being part of the sums he received of the widow Sharp Executrix of Isaac Sharp deceased William Hancock Executor of William Hancock deceased and Grant Gibbon Administrator of Nicholas Gibbon deceased; Which said Isaac Sharp, William Hancock and Nicholas Gibbon were severally in their lifes time Commissioners of the Loan Office for the County of Salem, and for which said Sum of Four hundred and sixty one Pounds

eleven shillings and eight Pence three farthings now burned, the said Treasurer is to be Credited in his next Acc^{t} for Support of Government.

Sam Tucker	Rich^{d} Stockton
Jn° Sheppard	Dan: Coxe
John Demarest	Jn° Lawrence
John Combs	
Jn° Mehelm	

M^{r} Lawrence from the Committee to whom was referred the Bill intituled "An Act to alter the time of holding the Annual Town Meetings within this Colony" reported that the said Committee had gone through the said Bill and made sundry Amendments thereto which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon M^{r} Lawrence read the said Amendments in his Place and delivered them in at the Table.

And the said Amendments being again read, were agreed to by the House.

The Bill intituled "An Act to alter the Time of holding the Annual Town Meetings within this Colony" was read the third time with the Amendments in their Places, and

On the Question, whether the said Bill as Amended do pass. It was carried in the Negative.

Ordered, that the said Bill do lie on the Table

M^{r} Combs and M^{r} Hewlings from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act more effectually to punish the Counterfieters of Foreign Gold or Silver Coin Current within the Colony of New Jersey, and the utterers thereof, knowing the same to be Counterfiet," Which was read the first time and ordered a second reading.

A Message from the House of Assembly by M^{r} Kinsey and M^{r} Paxson requesting of this House to be informed what

Progress this House had made in the Bill for the better regulation of Juries.

Ordered, that Mr Lawrence do acquaint the House of Assembly in answer to their Message of this day that the Bill intituled "An Act for the better regulation of Juries" was on the 17th of December last rejected by a vote of this House.

Mr Lawrence reported that he had obeyed the Order of the House.

Mr Hinchman and Mr Holme from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to prevent Dogs from Killing Sheep within the Township of Deptford in the County of Gloucester, and for other purposes therein mentioned" Which was read the first time and Ordered a second Reading.

Mr Parker from the Committee to whom was referred the Bill intituled "An Act to enable sundry Persons Proprietors and Possessors of certain Lands and Meadows lying upon Wallkill in the County of Sussex, commonly called and known by the name of the Drowned Lands, to drain the same, and for other purposes therein mentioned," reported that the said Committee had gone through the said Bill and made sundry Amendments thereto which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Parker read the said Amendments in his Place and delivered them in at the Table.

And, the said Amendments being again read, were agreed to by the House.

The Bill intituled "An Act to enable sundry Persons Proprietors and Possessors of certain Lands and Meadows lying upon the Wallkill in the County of Sussex commonly called and known by the name of the Drowned Lands, to drain the same, and for other purposes therein mentioned," was read the third time with the Amendments in their Places, and

On the Question,

Resolved that the said Bill as Amended do pass

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered, that Mr Parker do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence in the said Amendments.

Mr Parker reported that he had obeyed the Order of the House by delivering the same to Mr Pettit one of the Members of the Assembly, the House not sitting.

The House continued till tomorrow

Tuesday February 15th The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

The Bill intituled "An Act more effectually to punish the Counterfieters of Foreign Gold or Silver Coin current within the Colony of New Jersey and the utterers thereof Knowing the same to be Counterfeit," was read the second time and committed to the Members of this House or any three of them.

The House continued till tomorrow

Wednesday February 16th The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

Mr Pettit, Mr Vanhorne from the House of Assembly brought back the Bill intituled "An Act to enable sundry

Inhabitants Proprietors and Possessors of certain Lands and Meadow lying upon the Wallkill in the County of Sussex &c Reingrossed with the Amendments of this House.

Which Reingrossed Bill being read and Compared

Ordered, that the Speaker do sign the same

The House continued till tomorrow

Thursday February 17th The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

Mr Winds and Mr Vanhorne from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act more effectually to prevent the malicious, unlawful, and wilfull Killing, maiming, wounding and disfiguring of Horses, Sheep or Horned Cattle in this Colony."

Which was read the first time and ordered a second reading.

The House continued till tomorrow

Friday February 18th The House met.

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

Mr Smith from the Committee to whom was referred the Bill intituled "An Act to regulate the Packing of Beef and Pork and to ascertain the size of Casks" reported that the said Committee had gone through the said Bill without making any amendment thereto, and that he was ready to

report the said Bill when the House would be pleased to receive the same

Ordered, that the said Report be made immediately

Whereupon Mr Smith read the said Bill in his Place, and delivered it in at the Table.

The Bill intituled "An Act to regulate the Packing of Beef and Pork and to ascertain the size of Casks," was read the third time, and

On the Question

Resolved, that the said Bill do pass.

Ordered, that the Speaker do sign the same.

Ordered, that Mr Lawrence do acquaint the House of Assembly therewith.

The Bill intituled "An Act to impower the Inhabitants of the Townships of Elsingburgh Pilesgrove and Pittsgrove in the County of Salem, to repair their publick highways by hire and to raise Money for that purpose," was read the third time, and

On the Question

Resolved, that the said Bill do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Lawrence do acquaint the House of Assembly therewith.

Mr Parker from the Committee to whom was referred the Bill intituled "An Act more effectually to punish the Counterfieters of foreign Coin" &c reported that the said Committee had gone through the said Bill and made sundry Amendments thereto, which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Parker read the said Amendments in his Place and delivered them in at the Table

And the said Amendments being again read, were approved of by the House.

The Bill intituled "An Act more effectually to punish the Counterfieters of Foreign Gold & Silver Coin current within

the Colony of New Jersey and the utterers thereof knowing the same to be Counterfiet" was read the third time, with the Amendments in their Places, and

On the Question

Resolved, that the said Bill as Amended do pass.

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered, that Mr Parker do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence to the said Amendments.

Mr Lawrence reported that he had Obeyed the Order of the House.

The House continued till tomorrow

Saturday February 19th The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

The Bill intituled "An Act more effectually to prevent the Malicious, unlawful and wilful killing, maiming, wounding or disfiguring of Horses, Sheep, or Horned Cattle in this Colony," was read the second time, and committed to the Members of this House or any three of them.

Mr Parker reported that he had delivered the Bill and Amendments to him intrusted yesterday, to Collonel Ford one of the Members of the House of Assembly, the House not sitting.

The House continued till Monday.

Monday February 21st The House met

Present

John Stevens Esq.	James Parker Esq.
Samuel Smith Esq.	Daniel Coxe Esq.

Mr Hewlings and Mr Pettit from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act more effectually to prevent the Erecting of Lotteries, and selling of Lottery Tickets within this Colony," which was read the first time, and ordered a second reading.

Mr Sykes and Mr Pettit from the House of Assembly brought back the Bill intituled "An Act more effectually to Punish the Counterfieters of Foreign Gold and Silver Coin" &c together with the Amendments made thereto by this House, and informed the House that the House of Assembly agree to the last of the said Amendments, but disagree to all the others, and in those parts adhere to the Bill.

Mr Coxe from the Committee to whom was referred the Bill intituled "An Act more effectually to prevent the Malicious unlawfull, and wilfull, Killing, maiming wounding or disfiguring of Horses, Sheep, or Horned Cattle, in this Colony," reported that the Committee had gone through the said Bill and made sundry Amendments thereto, which he was ready to Report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Coxe read the said Amendments in his Place, and delivered them in at the Table

And the said Amendments being again read were approved of by the House.

The Bill intituled "An Act more effectually to prevent the Malicious unlawful and wilful Killing maiming, wounding or disfiguring of Horses Sheep or Horned Cattle in this Colony, was read the third time with the Amendments in their Places and

On the Question,

Resolved that the same as Amended do pass.

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered, that Mr Coxe do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence in the said Amendments.

Mr Coxe reported that he had obeyed the Order of the House.

A Message from the House of Assembly by Mr Dey and Mr Garretse in the words following vizt

"Ordered, that Mr Dey and Mr Garretse do carry back to "the Council the Bill intituled *An Act more effectually to "prevent the malicious, unlawful and wilful Killing, maiming, "wounding or disfiguring of Horses Sheep or horned Cattle in "this Colony*, together with the Amendments made by the "Council to the same, and acquaint them that this House "have agreed to all the said Amendments except the last, to "which they disagree and in that part adhere to the Bill.

House of Assembly
February 21, 1774

"By Order of the House
Richard Smith, Clerk"

It appearing from the Minutes of the Assembly communicated to this House by his Excellency, that a number of Petitions have been laid before the House of Assembly relative to the Eastern Treasurer: and the House being informed that many of them are addressed to the Council as well as to the Assembly,

Ordered, that the Clerk of the House do acquaint the House of Assembly that it is the desire of this House that they send up such of the said Petitions as are directed to the Council.

Mr Pettit from the House of Assembly brought up to this House the following Petitions relative to the Eastern Treasurer, vizt

One from Springfield
One from Chesterfield
One from Evesham
One from Wellingborough
One from Northampton
One from Chester
} In the County of Burlington

One from the County of Hunterdon
One from the County of Salem

} Praying that the Eastern Treasurer may be removed from his Office

Three from the County of Hunterdon Two from the Counties of Hunterdon & Sussex One from the County of Sussex One from the County of Somerset One from the Counties of Somerset & Hunterdon	Praying that the Treasurer may continue in Office untill he has a Trial.

The House continued till tomorrow

Tuesday February 22[d] The House met

Present

John Stevens Esq.	Richard Stockton Esq.
Samuel Smith Esq.	Stephen Skinner Esq.
James Parker Esq.	Daniel Coxe Esq.

A Petition was presented from sundry Inhabitants of the City of Burlington Setting forth that they have heard a Bill has passed the House of Representatives intituled "An Act for regulating Roads & Bridges wherein amongst other things it is Enacted that the Bridges in the several Townships of the County of Burlington, are made a County Charge— That a Law will be injurious to the Petitioners having few Bridges in the City and Township of Burlington, and as the Townships where the most of the Bridges are, are principally benefitted by the Streams of Water running through the same.

The Petitioners therefore pray that this House will make an Amendment to the said Bill to exclude any Bridges in the County of Burlington from being made a County Charge by virtue of the said Bill.

Which Petition was read, and referred to the Committee on the Road Bill.

M[r] Taylor and M[r] Hand from the House of Assembly presented for the Concurrence of this House a Bill intituled "An

Act more effectually to prevent Horse Racing Cock fighting Shooting Matches and Gaming within this Colony;" which was read the first time and ordered a second reading.

Whereas, His Majesty's especial Service requires the attendance of all the members of this House

Ordered, that the Honourable Peter Kemble Esq. the Honourable David Ogden Esq., the Right Honourable the Earl of Stirling and the Honourable Frederick Smyth Esq. being absent Members do give their immediate attendance at Burlington.

Ordered, also, That the Sergeant at Arms of this House do forthwith serve a Copy of the above Order on each of the absent Members before mentioned.

The House continued till tomorrow.

Wednesday February 23^{d} The House met

Present

John Stevens Esq.	Richard Stockton Esq.
Samuel Smith Esq.	Stephen Skinner Esq.
James Parker Esq.	Daniel Coxe Esq.

Two Petitions were presented from the Townships of Springfield and Wellingborough setting forth that the Petitioners have heard a Bill has passed the House of Assembly intituled "An Act for regulating of Roads and Bridges wherein it is enacted amongst other things that the Bridges in the several Townships of the County of Burlington are made a County Charge That such Law will be injurious to the Petitioners having few Bridges in the above named Townships, and as the Townships where most of the Bridges are, are principally benefited by the Streams of Water running through the same.

The Petitioners therefore pray that this House will make an Amendment to the said Bill to exclude any Bridges in the County of Burlington from being made a County Charge by virtue of the said Bill.

Which Petitions were read, and referred to the Committee on the Roads Bill.

The House taking into Consideration the Inconveniences arising from the want of a Sergeant at Arms and a Doorkeeper in each Division, and that Provision has hitherto been made but for one of each of the said Officers for the whole Province: and His Excellency having been Pleased to say that he will remove those Inconveniences by appointing a Sergeant at Arms and a Doorkeeper to this House in each Division if Provision be made for their support.

Ordered, that Mr Parker do acquaint the House of Assembly therewith, and request that Provision be made accordingly.

Mr Parker reported that he had obeyed the Order of the House.

Mr Coxe from the Committee to whom was referred the bill intituled "An Act for regulating of Roads and Bridges" reported that they had gone through the same, and made sundry Amendments thereto which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Coxe read the said Amendments in his Place and delivered them in at the Table.

And the said amendments being again read were agreed to by the House.

The Bill intituled "An Act for regulating of Roads and Bridges" was read the third time with the Amendments in their Places, and

On the Question

Resolved, that the same as Amended do pass.

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered, that Mr Smith do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence in the said Amendments.

The House continued till tomorrow.

Thursday February 24th The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

Mr Hand and Mr Eldridge from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for Erecting a Convenient Gaol in the County of Cape May, and to authorize the Rebuilding and Repairing of the Court House or Gaol of that County at any time hereafter."

Which was read the first time and ordered a second reading.

A Message from the House of Assembly by Mr Hinchman and Mr Price in the words following, viz[t]

House of Assembly Feby 24th 1774

"Ordered, that Mr Hinchman and Mr Price do carry back "to the Council the Bill intituled *An Act for regulating of* "*Roads and Bridges*, with the Amendments made thereto by "the Council, and acquaint them that this House agrees to all "the said Amendments except the eighteenth and twentieth to "which they disagree, and in those parts adhere to the Bill."

The House continued till tomorrow.

Friday February 25th The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

The House taking into Consideration the Message from the House of Assembly of yesterday, relative to the Amendments

made by this House to the Bill intituled "An Act for the regulating Roads and Bridges."

On the Question, whether this House do recede from the eighteenth and twentieth of the said Amendments which are rejected by the House of Assembly, it was carried in the affirmative.

Ordered, that Mr Skinner do carry the Bill intituled "An Act for regulating Roads and Bridges" with the Amendments thereto annexed to the House of Assembly and acquaint them that this House do recede from the eighteenth and twentieth of the said Amendments which were rejected by the House of Assembly.

Mr Skinner reported that he had Obeyed the Order of the House.

The Bill intituled "An [act] more effectually to prevent the Erecting of Lotteries and selling of Lottery Tickets within this Colony" was read the second time and committed to the Members of this House or any three of them.

The Bill intituled "An Act for Erecting a convenient Gaol in the County of Cape May, and to Authorize the Rebuilding and Repairing of the Court House or Gaol of that County at any time hereafter," was read the second time, and ordered a third reading.

The House taking into Consideration the Message from the House of Assembly of the 21st Instant relative to the Amendments made by this House to the Bill intituled "An Act more effectually to prevent the malicious unlawful and wilful Killing, maiming wounding or disfiguring of Horses Sheep or Horned Cattle in this Colony."

On the Question, whether this House do recede from the Amendments mentioned in the said Message to be rejected by the House of Assembly or not? It was carried in the negative

Ordered, That Mr Coxe do carry the Bill intituled "An Act more effectually to prevent the Malicious unlawful and wilful Killing, maiming wounding or disfiguring of Horses Sheep or Horned Cattle in this Colony" with the Amend-

ments thereto annexed, to the House of Assembly and acquaint them that this House adhere to all the said Amendments.

The Bill intituled "An Act to prevent Dogs from Killing Sheep within the Township of Deptford in the County of Gloucester and for other purposes therein mentioned," was read the second time and committed to Mr Lawrence.

The House continued till tomorrow

Saturday February 26th The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

A Message from the House of Assembly in the words following.

House of Assembly February 25th 1774.

"Ordered, That the Representatives of the County of "Bergen, Morris, and Sussex together with Mr Fisher Mr "Moores Mr Garretse, Mr Hinchman and Mr Sykes, be a "Committee to meet a Committee of the Council in a free "Conferrence on the Bill intituled *An Act more effectually to "prevent the Malicious unlawful and Wilful Killing, maiming "wounding or disfiguring of Horses, Sheep or Horned Cattle "in this Colony*, together with the Amendments made to the "same.

"Ordered, that Mr Holme and Mr Elmer do inform the Council thereof and desire them to appoint a Committee of their House accordingly, together with the time and Place of Meeting."

The House taking the said Message into Consideration

Ordered, that Mr Parker, Mr Stockton and Mr Coxe or any two of them be a Committee to meet a Committee of the

House of Assembly in a free Conferrence on the Bill intituled "An Act more effectually to prevent the malicious, unlawful and wilful Killing, maiming wounding or disfiguring of Horses Sheep or Horned Cattle in this Colony," together with the Amendments made to the same, And that the said Committees do meet for that purpose at the House of Joseph Haight in Burlington at seven o'Clock this Evening.

Ordered, that Mr Stockton do acquaint the House of Assembly therewith.

Mr Stockton reported that he had Obeyed the Order of the House.

The House continued till Monday

Monday February 28th The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

Mr Tucker and Mr Mehelm from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to relieve Sarah Ely, Isaac De Cow David Brearley junr with respect to the loss of two Title Deeds by Fire." Which Bill was read the first time, and ordered a second reading.

Mr Tucker and Mr Mehelm from the House of Assembly brought up to this House the Bill reengrossed with the Amendments agreed upon by both Houses intituled "An Act for regulating Roads and Bridges"

Mr Lawrence and Mr Combs from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Enable the Owners and Possessors of Low Lands Meadows and Swamps on both sides of Assanpink Brook from the Province Line to the Lands of John Ely, to remove

the Obstructions to the free Course of the Waters of the same Brook"

Which was read the first time and Ordered a second reading.

Mr Coxe from the Committee to whom was referred the Bill intituled "An Act for the settlement and Relief of the Poor" reported that the said Committee had gone through the said Bill and made sundry Amendments thereto, which he was ready to report when the House would be Pleased to receive the same

Ordered, That the said report be made immediately.

Whereupon Mr Coxe read the said Amendments in his Place and delivered them in at the Table.

And the said Amendments being again read were agreed to by the House.

The Bill intituled "An Act for the better settlement and Relief of the Poor was read the third time with the Amendments in their Places, and

On the Question

Resolved, that the said Bill as Amended do pass

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered, that Mr Skinner do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence in the said Amendments.

The House continued till tomorrow

Tuesday March 1st The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

The Bill reingrossed with the Amendments agreed upon by this House and the House of Assembly intituled "An Act for regulating Roads and Bridges" was read and compared.

Ordered, that the Speaker do sign the same.

Mr Skinner reported that he had Obeyed the Order of the House of yesterday.

The Bill intituled "An Act to enable the Owners and Possessors of the Low Lands, Meadows and Swamps on both sides of Assanpink Brook" &c was read the second time and committed to the Members of this House or any three of them.

The House taking into Consideration the Message from the House of Assembly of the 19th of February last and delivered to this House on the 21st of the same Month relative to the Amendments to the Bill intituled "An Act more effectually to punish the Counterfieters of Foreign Gold and Silver Coin" &c On the Question whether the House do recede from such of the said Amendments as are rejected by the House of Assembly or not It was carried in the Affirmative.

Ordered, That Mr Parker do carry the said Bill and Amendments to the House of Assembly and acquaint them that this House does recede from such of the said Amendments as are rejected by the House of Assembly.

Mr Parker reported that he had obeyed the Order of the House.

Mr Pettit and Mr Sykes from the House of Assembly brought back from thence The Bill intituled "An Act for the settlement of the Poor" with a Message in the words following vizt

"House of Assembly March 1st 1774

"Ordered, That Mr Pettit and Mr Sykes do carry back to "the Council the Bill intituled "*An Act for the settlement* "*and Relief of the Poor*" together with the Amendments "made by the Council to the same, and acquaint them that "this House have agreed to all the said Amendments except "the 9th 10th and 17th to which they disagree, and in those "parts adhere to the Bill."

The Council taking the said Message into Consideration,— On the Question, whether the House do recede from the said three Amendments rejected by the House of Assembly or not?

It was carried in the Affirmative

Ordered, That Mr Lawrence do carry the Bill intituled "An Act for the settlement and Relief of the Poor" with the Amendments thereto annexed to the House of Assembly and acquaint them that this House has receded from the 9th 10th and 17th of the said Amendments which were rejected by the House of Assembly.

The Bill intituled "An Act for Erecting a Convenient Gaol in the County of Cape May, and to Authorize the rebuilding and repairing of the Court House or Gaol of that County at any time hereafter" was read the third time, and

On the Question

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same.

Ordered, that Mr Lawrence do acquaint the House of Assembly therewith.

Mr Lawrence reported that he had obeyed the Order of the House.

Mr Kinsey and Mr Mehelm from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the more speedy recovery of Legacies in this Province, and for affirming such Acts of Administrators *bona fide* done before Notice of a Bill Which was read the first time and ordered a second reading.

Mr Smith from the Committee to whom was referred the Bill intituled "An Act more effectually to prevent Horse Races, Cock fighting, Shooting Matches and Gaming within this Colony reported that the said Committee had gone through the said Bill, and that he was ready to report the same when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Smith reported the said Bill without any Amendment, and delivered it in at the Table.

The Bill intituled An Act more effectually to prevent Horse Racing, Cock fighting, Shooting Matches, and Gaming within this Colony" was read the third time, and

On the Question whether the said Bill do pass or not?

It was carried in the Negative.

Ordered, that the said Bill do lie on the Table

The House continued till to morrow

Wednesday March 2d The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

Mr Fisher and Mr Wetherill from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to Oblige the Treasurers of the Colony of New Jersey to give Security for the due Execution of their Offices and to prescribe the Mode in which the security shall be taken"

Which was read the first time and ordered a second reading.

Mr Fisher and Mr Wetherill from the House of Assembly brought up to this House the Bill reingrossed with the amendments agreed upon by both Houses intituled "An Act more effectually to punish the Counterfieters of foreign Gold and Silver Coin," &c

Which reingrossed Bill being read and compared

Ordered, that the Speaker do sign the same.

The House continued till tomorrow

Thursday March 3d The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

Mr Parker from the Committee to whom was referred the Bill intituled "An Act more effectually to prevent the Erecting of Lotteries, and selling of Lottery Tickets within this Colony" reported that the said Committee had gone through the said Bill and made sundry amendments thereto which he was ready to Report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Parker read the said Amendments in his Place and delivered them in at the Table.

And the said Amendments being again read were agreed to by the House.

The Bill intituled "An Act more effectually to prevent the Erecting of Lotteries and selling of Lottery Tickets within this Colony" was read the third time with the Amendments in their Places, and

On the Question

Resolved that the said Bill as Amended do pass.

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered that Mr Parker do carry the same to the House of Assembly and desire their Concurrence in the said Amendments.

Mr Stockton from the Committee to whom was referred the Bill intituled "An Act to relieve Sarah Ely Isaac DeCow and David Brearley junrs with respect to the Loss of Two Titles Deeds by fire," reported that the said Committee had gone through the said Bill and made sundry Amendments

thereto, which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Stockton read the said Amendments in his Place, and delivered them in at the Table.

And the said Amendments being again read were agreed to by the House.

The Bill intituled "An Act to relieve Sarah Ely, Isaac DeCow and David Brearley junrs with respect to the loss of two Title Deeds by Fire," was read the third time with the Amendments in their Places, and

On the Question

Resolved, that the said Bill as Amended do pass.

Ordered, that the Speaker do sign the said Bill and amendments.

Ordered, that Mr Parker do carry the same to the House of Assembly and desire their Concurrence in the said amendments.

Mr Parker reported that he had obeyed the Order of the House.

Mr Lawrence from the Committee to whom was referred the Bill intituled "An Act to Enable the Owners and Possessors of the Low Lands Meadows and Swamps on both sides of Assunpink Brook" &c—reported that the said Committee had gone through the said Bill and made sundry Amendments thereto, and one Amendment in the Title thereof, which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Lawrence read the said Amendmts in his Place, and delivered them in at the Table

And the said Amendments being again read were agreed to by the House.

The Bill intituled "An Act to enable the Owners and Possessors of the low Lands, Meadows and Swamps on both sides of Assunpink Brook from the Province line to the

Lands of John Ely, to remove the Obstructions to the free Course of the Waters of the same Brook" was read the third time with the Amendments in their Places, and

On the Question

Resolved, that the same as Amended do pass.

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered, that Mr Lawrence do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence in the said Amendments.

Mr Coxe with leave of the House brought in a Bill intituled "An Act more effectually to prevent gaming within this Colony, and other Vices therein mentioned."

Which was read the first time and ordered a second reading.

Mr Hand and Mr Garritse from the House of Assembly brought up the Bill reingrossed with the Amendments of this House intituled "An Act to relieve Sarah Ely, Isaac Dc Cow and David Brearly junr with respect to the Loss of two Title Deeds by Fire" Which was read and compared.

Ordered, that the Speaker do sign the same

The Bill intituled "An Act for the more speedy recovery of Legacies" &c was read the second time, and ordered a third reading.

The Bill intituled "An Act to Oblige the Treasurers of the Colony of New Jersey to give security" &c was read the second time and committed to the Members of this House or any three of them.

Mr Taylor and Mr Lawrence from the House of Assembly brought up from thence the Bill reingrossed with the Amendments agreed upon by both Houses intituled "An Act for the settlement and relief of the Poor.

Which reingrossed Bill being read and compared

Ordered that the Speaker do sign the same

The House continued till tomorrow.

Friday March 4th The House met

Present

John Stevens Esq	Stephen Skinner Esq.
Samuel Smith Esq	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq
Richard Stockton Esq.	

The Bill intituled "An Act for the more speedy Recovery of Legacies in this Province, and for Affirming such Acts of Administrators *bona fide* done before Notice of a Will," was read the third time, and

On the Question,

Resolved, that the same do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Stockton do acquaint the House of Assembly therewith.

Mr Stockton from the Committee to whom was referred the Bill intituled "A Supplementary Act to an Act intituled An Act for the more effectual discovery and punishment of the Crime of Horse Stealing" reported that the said Committee had gone through the said Bill and that he was ready to report the same when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon, Mr Stockton reported the said Bill without any Amendment, and delivered it in at the Table

The Bill intituled "A Supplementary Act to An Act intituled An Act for the more effectual discovery and punishment of the Crime of Horse Stealing" was read the third time, and

On the Question,

Resolved, that the said Bill do pass

Ordered, that the Speaker do sign the same.

Ordered, that Mr Stockton do acquaint the House of Assembly therewith.

Mr Stockton reported that he had obeyed the Order of the House.

A Message from the House of Assembly by Mr Kinsey and Mr Hinchman in the following words viz^{t}

"House of Assembly March 4th 1774

"Ordered That Mr Kinsey and Mr Hinchman do carry to the Council the Bill intituled "*An Act to Authorize the pres-*
"*ent Treasurer of the Eastern Division to bring an Action*
"*against the late Treasurer for the Money said to be stolen*
"*from the Treasury, and for other purposes therein mentioned,*
"for their Concurrence, and inform them that the Bill passed
"this House unanimously.

"That the House are very desirous to bring the Affair of
"the Robbery of the Eastern Treasury to some determina-
"tion, and for that purpose have formed a Bill such as they
"apprehend will effectually answer; But that as it may be
"possible the Council may not approve of the whole Bill,
"and as this House are exceedingly unwilling that this Session
"should be passed over without some Measures being fixed on
"to bring that Matter to an end, they request the Council
"would be pleased to bestow their Attention as soon as they
"can on the Bill, and acquaint the House with their Deter-
"mination."

The Bill intituled "An Act to Authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer for the Money said to be stolen from the Treasury, and for other Purposes therein mentioned," was read the first time and ordered a second reading.

Mr Coxe from the Committee to whom was referred the Bill intituled "An Act for more effectually suppressing Vice and immorality," reported that the said Committee had gone through the said Bill, and that he was ready to report the same, when the House would be Pleased to receive the same,

Ordered, that the said Report be made immediately.

Whereupon Mr Coxe reported the said Bill without any Amendment, and delivered it in at the Table.

And on the Question, whether the said Bill be read a third time or not? It was carried in the negative.

Ordered, that the said Bill do lie on the Table.

On Motion of Mr Coxe, Ordered that the said Mr Coxe have leave to bring in a Bill at the next Session of the General Assembly, for more effectually suppressing Vice and Immorality.

The Bill intituled "An Act for more effectually to prevent Gaming within this Colony and other Vices therein mentioned," was read the second time and referred to the next Session of the General Assembly.

The Bill intituled "An Act to Authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer for the Monies said to be stolen from the Treasury, and for other purposes therein mentioned," was read the second time and committed to the Members of this House or any three of them.

The House continued till tomorrow

Saturday March 5th The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe, Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

Mr Coxe from the Committee to whom was referred the Bill intituled "An Act to oblige the Treasurers of the Colony of New Jersey to give Security" &c reported that the said Committee had gone through the said Bill, and made sundry Amendments thereto which he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon Mr Coxe read the said Amendments in his Place and delivered them in at the Table.

And the said Amendments being again read were agreed to by the House.

The Bill intituled "An Act to Oblige the Treasurers of the Colony of New Jersey to give Security" &c was read the third time with the Amendments in their Places, and

On the Question,

Resolved, that the same as Amended do pass

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered that Mr Parker do carry the said Bill and Amendments to the House of Assembly and desire their Concurrence in the said Amendments.

Mr Parker reported that he had obeyed the Order of the House.

Mr Combs and Mr Taylor from the House of Assembly brought back from thence the Bill reingrossed with the Amendments made by this House intituled "An Act more effectually to prevent the erecting of Lotteries and selling of Lottery Tickets, within this Colony."

And the Bill reingrossed with the Amendments made by this House, entituled "An Act to enable the Owners and Possessors of Low Lands, Meadows and Swamps on both sides of Assunpink Brook, from the Line commonly called George Keiths, to the Lands of John Ely, to remove the obstructions to the free Course of the Waters of the same Brook."

Which reingrossed Bills were severally read and compared.

Ordered that the Speaker do sign the said two reingrossed Bills.

Mr Coxe from the Committee to whom was referred the Bill intituled "An Act to Authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer" &c reported that the said Committee had gone through the said Bill and made sundry Amendments to the

same, which he was ready to report when the House would be pleased to receive the same.

Ordered, that the said report be made immediately.

Whereupon Mr Coxe read the said Amendments in his Place and delivered them in at the Table.

And the said Amendments being again read, were agreed to by the House.

The Bill intituled "An Act to Authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer for the Monies said to be stolen from the Treasury, and for other purposes therein mentioned" was read the third time, with the Amendments in their Places, and

On the Question

Resolved, that the same as Amended do pass

Ordered, that the Speaker do sign the said Bill and Amendments.

Ordered that Mr Stockton do carry the Bill intituled "An Act to Authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer for the Monies said to be stolen from the Treasury, and for other purposes therein mentioned" with the Amendments thereunto annexed, to the House of Assembly, and desire their Concurrence in the said Amendments.

And that Mr Stockton do inform the Assembly that this House ever attentive to what they conceive the true Interests and Constitution of this Country and equally desirous with the Assembly to bring the Affair of the Roberry of the Eastern Treasury to some determination, hope that the Assembly by their unusual Message which accompanied this Bill when sent up to this House, do not mean to convey an Idea that this House would not bestow as early and sufficient Attention to the Bill as the Importance of it should require, without being then put in mind of their Duty.

Mr Hewlings and Mr Mehelm from the House of Assembly brought back from thence the Bill intituled "An Act to oblige

the Treasurers of the Colony of New Jersey to give Security for the due Execution of their Offices" &c with a Message in the words following viz^{t}

House of Assembly March 5th 1774

"Ordered, That M^{r} Hewlings and M^{r} Mehelm do carry back to the Council the Bill intituled "*An Act to oblige the Treasurers of the Colony of New Jersey to give Security for the due Execution of their Offices, and to prescribe the Mode in which the same security shall be taken,* together with the Amendments made by the Council to the same, and acquaint them that this House do agree to the first, second, fourth, sixth, seventh, eighth, and tenth of the said Amendments, and disagree to the third, fifth and ninth, and in those parts adhere to the Bill."

The House continued till Monday

Monday March 7th The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

M^{r} Stockton reported that he had obeyed the Order of the House of Saturday last.

M^{r} Mehelm and M^{r} Holme from the House of Assembly brought back from thence the Bill intituled "An Act to Authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer" &c with a Message in the following words viz^{t}

House of Assembly March 7th 1774

"Ordered, that M^{r} Mehelm and M^{r} Holme do carry back "to the Council the Bill intituled "*An Act to Authorize the*

"*present Treasurer of the Eastern Division to bring an Action* "*against the late Treasurer for the Money said to be stolen* "*from the Treasury, and for other purposes therein mentioned,* "together with the Amendments made thereto by the Council, "and inform them that this House have agreed to all the said "Amendments except the twelfth, to which they have disa- "greed, and made an Amendment in these words, to wit, "*John Wetherill James Kinsey and Robert Friend Price, to* "*be inserted in the Place of Samuel Tucker, Richard Law-* "*rence, and John Combs junr* and request that the Council "will concur with this House in the Above Amendment to "the Amendment of the Council."

The House taking the said Message from the House of Assembly into Consideration,

Resolved that this House do agree to the Amendment made by the House of Assembly to the Amendments of this House mentioned in the said Message.

Ordered, that Mr Lawrence do carry the Bill intituled "An Act to Authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer" &c with the Amendments thereto annexed, to the House of Assembly, and acquaint them that this House has agreed to the Amendment made by the House of Assembly to the said Amendments, and signified in their Message of this day.

The House having taken into Consideration the Message from the House of Assembly of the 5th instant relative to the Amendments made to the Bill intituled "An Act to oblige the Treasurers of the Colony of New Jersey to give Security for the due Execution of their Offices" &c,

Resolved, That this House do recede from the fifth of the said Amendments and adhere to all the rest

Ordered, that Mr Lawrence do carry the said Bill and Amendments back to the House of Assembly, and acquaint them with the foregoing resolve.

Mr Lawrence from the Committee to whom was referred

the Bill intituled "An Act to prevent Dogs from killing Sheep, within the Township of Deptford" &c reported that the Committee had gone through the said Bill and that he was ready to report when the House would be Pleased to receive the same.

Ordered, that the said Report be made immediately.

Whereupon M^r^ Lawrence reported the said Bill without any Amendment, and delivered it in at the Table.

The House continued till 3 o'clock P. M.

The House met pursuant to adjournment

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence, Esq.
Richard Stockton Esq.	

M^r^ Lawrence reported that he had obeyed the Order of the House of this Morning

The Bill intituled "An Act to prevent Dogs from killing Sheep within the Township of Deptford in the County of Gloucester, and for other purposes herein mentioned," was read the Third time, and

On the Question whether the same do pass.

It was carried in the Negative.

Ordered, that the said Bill do lie on the Table

A Message from the House of Assembly by M^r^ Combs and M^r^ Hand in the words following viz^t^

"House of Assembly March 7^th^ 1774

"Ordered, that M^r^ Wetherill, M^r^ Fisher, M^r^ Kinsey, M^r^ "Lawrence, M^r^ Paxson, M^r^ Price and M^r^ Hinchman be a "Committee to meet a Committee of the Council in a free "Conferrence on the subject Matter of the Bill intituled "*An "Act to Oblige the Treasurers of the Colony of New Jersey to "give Security for the due Execution of their Offices, and to*

"*prescribe the mode in which the same Security shall be taken,*
"together with the Amendments made thereto by the Council

"Ordered, that Mr Combs and Mr Hand do acquaint the "Council thereof, and desire them to appoint a Committee of "their House accordingly, together with the time and Place "of Meeting."

The House taking the said Message into Consideration

Ordered, that Mr Stockton, Mr Coxe, and Mr Lawrence, or any two of them be a Committee to meet a Committee of the House of Assembly in a free Conferrence on the Subject of the said Bill and Amendments and that Mr Speaker be requested to Assist the Committee of this House at the said Conferrence.

Ordered, that Mr Parker do acquaint the House of Assembly therewith, and that the said Committees are to meet at the House of Joseph Haight at six o'Clock this Evening.

The House continued till tomorrow

Tuesday March 8th The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

Mr Dey and Mr Taylor from the House of Assembly brought from thence the Bill reingrossed with the Amendments agreed upon by both Houses intituled "An Act to Authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer of the said Division for the sum of Six thousand five hundred and seventy Pounds nine shillings and four Pence, for which the said late Treasurer claims allowance in his Accounts alledging the same to have been stolen from the Treasury and for other purposes

therein mentioned."—Which reingrossed Bill having been read and Compared,

Ordered, that the Speaker do sign the same

The House continued till tomorrow

Wednesday March 9th The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

Mr Fisher, Mr Wetherill, Mr Crane, Mr Paxson, Collonel Ford, Mr Dey, and Mr Garritse, from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for the Support of Government of His Majesty's Colony of New Jersey to commence the first day of October One thousand seven hundred and seventy three, and to End the first day of October One thousand seven hundred and seventy four, and to discharge the Publick Debts and Contingent charges thereof;" Which was read the first time and Ordered a second Reading.

The House continued till 3 o'Clock P. M.

The House met pursuant to adjournment

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

The Bill intituled "An Act for the Support of Government" &c was read the second time, and ordered a third reading.

Mr Tucker and Mr Elmer from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for striking One hundred thousand Pounds in Bills of Credit, and directing the Mode for sinking the same" Which was read the first time, and ordered a second reading.

The House continued till to-morrow

Thursday March 10th The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

The Bill intituled "An Act for sinking One hundred thousand Pounds in Bills of Credit" &c was read the second time and ordered a third reading.

The House continued till tomorrow

Friday March 11th The House met

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq	

The Bill intituled "An Act for the Support of Government of His Majesty's Colony of New Jersey to commence the first day of October One thousand seven hundred and seventy-three and to end the first day of October One thousand seven hundred and seventy-four, and to discharge the publick Debts and contingent Charges thereof," was read the third time, and

On the Question

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Stockton do acquaint the House of Assembly therewith.

The Bill intituled "An Act for striking One hundred thousand Pounds in Bills of Credit, and directing the Mode for sinking the same, was read the third time, and,

On the Question,

Resolved, that the same do pass

Ordered, that the Speaker do sign the same

Ordered, that Mr Stockton do acquaint the House of Assembly therewith.

Mr Stockton reported that he had obeyed the foregoing Orders of the House.

Mr Sykes and Mr Pettit from the House of Assembly brought back the Bill intituled "An Act to oblige the Treasurers of New Jersey to give Security for the due Execution of their Offices, and to prescribe the Mode in which the same Security shall be taken" reingrossed with the Amendments agreed upon by both Houses.

Which reingrossed Bill was read and compared.

Ordered, that the Speaker do sign the same.

The House continued till three o'Clock P. M.

The House met pursuant to adjournment

Present

John Stevens Esq.	Stephen Skinner Esq.
Samuel Smith Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
Richard Stockton Esq.	

Mr Winds and Mr Hand from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for defraying incidental Charges"—Which was read the first time and ordered a second reading.

The Bill intituled "An Act for defraying incidental

Charges," was read the second time and ordered a third reading.

The Bill intituled "An Act for defraying incidental Charges" &c was read the third time, and

On the Question

Resolved, that the same do pass.

Ordered, that the Speaker do sign the same

Ordered, that Mr Parker do acquaint the House of Assembly therewith.

Mr Parker reported that he had obeyed the Orders of the House

Mr Dey and Mr Combs from the House of Assembly informed the Speaker that the Assembly had no further Business before them, and desired to know whether this House had any objection to their applying to his Excellency for a dismission.

The House taking the said Message into Consideration

Ordered, that Mr Stockton do acquaint the House of Assembly that there is no farther Business before this House, and that they have no objection to such application being made.

His Excellency came into the Council Chamber and having by the Deputy Secretary, ordered the Attendance of the House of Assembly, the Speaker with the said House attended accordingly, and His Excellency was Pleased to give his assent to the following Bills Enacting the same, and ordering them to be enrolled viz[t]

N° 1 "An Act for the Support of Government of His Majesty's Colony of New Jersey, to commence the first day of October One thousand seven hundred and seventy three, and to end the first day of October One thousand seven hundred and seventy four, and to discharge the Publick Debts and contingent Charges thereof.

2 An Act for defraying Incidental Charges.

3 An Act for regulating Roads and Bridges.

4 An Act for the settlement and Relief of the Poor.

5 An Act for the more speedy recovery of Legacies in this Province, and for Affirming such Acts of Administrators Bona Fide done before notice of a Bill.

6 An Act for Lowering the Interest of Money to six Per Cent within this Colony.

7 A Supplementary Act to An Act intituled An Act for the more effectual discovery and Punishment of the Crime of Horse Stealing

8 An Act more effectually to punish the Counterfietors of Foreign Gold or Silver Coin, Current within the Colony of New Jersey, and the utterers thereof, knowing the same to be Counterfiet.

9 An Act more effectually to prevent the Erecting of Lotteries and selling of Lottery Tickets within this Colony.

10 An Act to Oblige the Treasurers of the Colony of New Jersey, to give Security for the due Execution of their Offices, and to prescribe the Mode in which the same Security shall be taken.

11 An Act to Authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer of the said Division, for the sum of Six thousand five hundred and seventy Pounds nine shillings and four Pence, for which the said late Treasurer claims allowance in his Accounts alledging the same to have been stolen from the Treasury, and for other purposes therein mentioned.

12 An Act for striking One hundred thousand Pounds in Bills of Credit, and directing the Mode for sinking the same.

13 An Act for the better preserving of Oysters in the Colony of New Jersey.

14 A Supplementary Act to An Act intituled An Act for regulating Fences.

15 An Act to Postpone the payment of the Provincial Taxes into the Treasury of this Colony for one Month, and for other Purposes therein mentioned.

16 An Act to regulate the Packing of Beef and Pork and to Ascertain the Size of Casks.

17 An Act to Enable the Owners and Possessors of the Low Lands, Meadows and Swamps on both sides of Assunpink Brook, from the Line commonly called George Keiths, to the Lands of John Ely, to remove the Obstructions to the free Course of the Waters of the same Brook.

18 An Act for Erecting a Convenient Gaol in the County of Cape May, and to Authorize the Rebuilding and Repairing of the Court House or Gaol of that County at any time hereafter.

19 An Act to Enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on Masons Creek in the Township of Evesham and County of Burlington, to Erect and Maintain a Bank, Dam and other Water Works, across the said Creek in order to prevent the Tide from overflowing the same.

20 An Act to Enable the Owners and Possessors of a Tract of Marsh and Meadow in Lower Penns Neck in the County of Salem, to uphold and maintain a certain Bank for draining the said Marsh, and for other purposes therein mentioned.

21 An Act to Enable the Owners and Possessors of a Tract of Marsh and Swamp in upper Penns Neck, in the County of Salem to Erect and Maintain a Bank Dam, and other Water Works in order to prevent the Tide from overflowing the same.

22 An Act to repair and Amend the publick Roads and Streets in the Northern Ward of the City of Perth Amboy, and to repair the Town Wharf in the said City, by a Tax on the Inhabitants of the said Northern Ward, and for other Purposes therein mentioned.

23 An Act to Suspend the Prosecution of the County Collector of Cape May for a limited time.

24. An Act for Erecting a Dam, Mills, and other Water Works on Nacut[1] Creek in the County of Gloucester, and to Indemnify those whose Property may be injured thereby.

[1] Nacote.

25 An Act to Enable the Owners and Possessors of the Meadows and Marsh adjoining Repaupa Creek in the County of Gloucester, to Erect, cast up repair and maintain a Dam and Bank and Water Works sufficient to prevent the Tide from overflowing the Same.

26 An Act to Enable Sundry of the Owners and Possessors of Meadows and Tide Marsh lying on English's Creek, in the County of Burlington, to Erect and Maintain a Bank, Dam, and other Water Works, across the said Creek in order to prevent the Tide from overflowing the same, and to Keep the former Course of said Creek open and clear, And to make the said Dam when Erected a Publick Landing.

27 An Act to Enable the Owners and Possessors of Marshes, Meadows, and Swamps bounding on the South West side of Racoon Creek, between the Banks of Constantine Wilkins and Conrad Shoemaker in the Township of Woolwich and County of Gloucester known by the name of the Thoroughfare Island Marshes, Meadows and Swamps, to stop out the Tide from overflowing the same, and for other Purposes therein Mentioned.

28 An Act for Rebuilding, Repairing and Maintaining the Draw Bridge over Crosswicks Creek in the County of Burlington, and for repairing the Causeways adjoining said Bridge.

29 An Act to Revive part of an Act intituled An Act to Impower the Inhabitants of the Townships of Bridgewater and Bedminster in the County of Somerset to repair their Publick Highways by Hire, and to raise Money for that purpose.

30 An Act to Impower the Inhabitants of the Townships of Elsingborough, Pilesgrove and Pittsgrove in the County of Salem, to repair their publick Highways by Hire, and to raise Money for that purpose.

31 An Act to Enable sundry Persons Proprietors and Possessors of certain Lands and Meadows lying upon the Walkill, in the County of Sussex commonly called and known by

the name of the Drowned Lands, to drain the same, and for other Purposes therein mentioned.

32 An Act to Relieve Sarah Ely, Isaac De Cow, and David Brearly jun^{r} with respect to the loss of two Title Deeds by Fire

33 An Act for the Relief of Abner Hetfield an Insolvent Debtor

After which His Excellency was Pleased to make a Speech to the House of Assembly, and then to prorogue the General Assembly to Wednesday the twentieth day of April next, then to meet at Perth Amboy. Which Speech was in the words following viz^{t}

Gentlemen of the Assembly.

"I have now given my Assent to all the Bills which have "passed the two Houses, except two Naturalization Bills, "which were inconsistant with a late Royal Instruction. "Some of them are not altogether conformable to my own "Judgment, yet as you were anxious to obtain them, and as "they might possibly answer the good purposes you seemed "to have in View, I would not refuse them my Assent. In "doing this And suppressing my Remarks on a Report of "your House containing unjust insinuations (whether in- "tended or not I will not say) respecting the Conduct of "some of the Officers of Government, I think I have fully "manifested a Disposition to cultivate that Harmony which "is so essential to the publick welfare. I shall therefore hope "that if we should ever meet again in Legislation, nothing "will be wanting on your parts to promote the same desire- "able Purpose. I heartily wish you safely to your respective "Homes, and by virtue of the Powers to me given I do pro- "rogue you to Wednesday the twentieth day of April next, "then to meet at Perth Amboy, and you are accordingly pro- "rogued.

A True Copy of the Journal of the Votes and Proceedings of His Majesty's Council of New Jersey at a Session of the

General Assembly begun and held at the City of Burlington on the tenth day of November 1773

Examined by
CHA^{s} PETTIT D Clerk
Of the Council

[L. S.] A Journal of the Proceedings of His Majesty's Council for the Province of New Jersey.

At a Session of the General Assembly of the said Province begun and holden at the City of Perth Amboy on Wednesday the Eleventh Day of January in the fifteenth year of the Reign of our Sovereign Lord King George the Third Anno : Dom : 1775.

Wednesday January 11th The House Met.

Present
James Parker Esq^{r}
The Chief Justice
Daniel Coxe Esq^{r}
John Lawrence Esq^{r}
Francis Hopkinson Esq^{r} [1]

The House continued till to Morrow

Thursday January 12th 1775. The House Met

Present

David Ogden Esq^{r}	Daniel Coxe Esq^{r}
James Parker Esq^{r}	John Lawrence Esq.
The Chief Justice	Francis Hopkinson Esq^{r}

The House continued till to Morrow

[1] A signer of the Declaration of Independence. He was appointed to the Council in the place of Charles Reed, who left the Province.

Fryday January 13th 1775. The House Met.

Present

David Ogden Esqr	Daniel Coxe Esqr
James Parker Esqr	John Lawrence Esqr
The Chief Justice	Francis Hopkinson Esqr

His Excellency came into the Council Chamber and having by the Deputy Secretary commanded the Attendance of the House of Assembly, the Speaker with the House attended, when His Excellency was pleased to make a Speech to both Houses, in the Words following vizt

'Gentlemen of the Council, and Gentlemen of the Assembly.

'Altho' not more than Ten Months have elapsed since your 'last Meeting in General Assembly, yet as there are several 'Matters of Importance which require the particular Atten- 'tion of the Legislature, I have thought it proper to give you 'as early an Opportunity of transacting the public Business 'as was consistent with you Conveniency.

'Gentlemen of the Assembly.

'The Support of Government having been expired ever 'since the first of October, I must recommend that Matter to 'your early Consideration.

'The Barrack Master's Accounts, for the Expenditure of 'the Money granted last year for the Supply of the King's 'Troops, shall be Laid before you as soon as they can be pre- 'pared.

'Gentlemen of the Council, and Gentlemen of the Assembly

'It would argue not only a great Want of Duty to His 'Majesty, but of Regard to the good People of this Province, 'were I, on this Occasion, to pass over in silence the late 'alarming Transactions in this and the neighbouring Colo- 'nies, or not endeavor to prevail on you to exert yourselves 'in preventing those Mischiefs to this Country, which, with-

'out your timely Interposition will, in all probability, be the 'Consequence.

'It is not for me to decide on the particular Merits of the 'Dispute between Great Britain and her Colonies, nor do I 'mean to censure those who conceive themselves aggrieved 'for aiming at a Redress of their Grievances. It is a Duty 'they owe themselves, their Country, and their Posterity.

'All that I would wish to guard you against is the giving 'any Countenance or Encouragement to that destructive 'Mode of Proceeding which has been unhappily adopted in 'Part by some of the Inhabitants in this Colony, and has 'been carried so far in others as totally to subvert their 'former Constitution. It has already struck at the Authority 'of one of the Branches of the Legislature in a particular 'Manner. And, if you, Gentlemen of the Assembly, should 'give your Approbation to Transactions of this Nature, you 'will do, as much as lies in your Power, to destroy that Form 'of Government of which you are an important Part, and 'which it is your Duty by all lawful Means to preserve. To 'you, your Constituents have intrusted a particular Guardian-'ship of their Rights and Privileges. You are their legal 'Representatives, and you cannot without a manifest Breach 'of your Trust, Suffer any Body of Men, in this or any of 'the other Provinces, to usurp and exercise any of the Powers 'vested in you by the Constitution. It behooves you particu-'larly, who must be Constitutionally supposed to speak the 'Sense of the People at large, to be extremely cautious in 'consenting to any Act whereby you may engage them as 'Parties in, and make them answerable for Measures which 'may have a Tendency to involve them in Difficulties far 'greater than those they aim to avoid.

'Besides, There is not, Gentlemen, the least Necessity, 'consequently there will not be the least Excuse, for your 'running any such Risks on the present Occasion. If you 'are really disposed to represent to the King any Incon-

'veniences you conceive yourselves to lie under, or to make 'any Propositions on the present State of America, I can 'assure you, from the best Authority, that Such Representa- 'tions or Propositions will be properly attended to, and cer- 'tainly have greater Weight coming from each Colony in its 'separate Capacity, than in a Channel, of the Propriety and 'Legality of which there may be much Doubt.

'You have now pointed out to you, Gentlemen, two Roads '—one evidently leading to Peace, Happiness, and a Restora- 'tion of the Public Tranquility—the other inevitably con- 'ducting you to Anarchy, Misery, and all the Horrors of a 'Civil War. Your Wisdom, your Prudence, your Regard 'for the true Interests of the People, will be best known 'when you have shewn to which Road you give the Prefer- 'ence. If to the former, you will probably afford Satisfac- 'tion to the Moderate, the sober, and the discreet Part of 'your Constituents. If to the latter, you will, perhaps for a 'Time, give Pleasure to the Warm, the rash, and the incon- 'siderate among them, who, I would willingly hope, violent 'as is the Temper of the present Times, are not even now 'the Majority. But it may be well for you to remember, 'should any Calamity hereafter befal them, from your Com- 'pliance with their Inclinations, instead of Pursuing, as you 'ought, the Dictates of your own Judgment, that the Conse- 'quences of their returning to a proper Sense of their Con- 'duct may prove deservedly fatal to yourselves.

'I shall say no more at Present on this disagreeable Sub- 'ject, but only to repeat an Observation I made to a former 'Assembly on a Similar Occasion. "Every Breach of the "Constitution, whether it proceeds from the Crown or the "People, is, in its' Effects, equally destructive to the Rights "of both. It is the Duty, therefore of those who are in- "trusted with Government, to be equally careful in guarding "against Encroachments from the one as the other. But *It* "*is* (says one of the wisest of Men) *a most infallible Symptom*

"*of the dangerous State of Liberty, when the chief Men of a "free Country shew a greater Regard to Popularity than to "their own Judgment.*" [1]

Council Chamber } Wm Franklin.
January 13th 1775. }

After which the Speaker with the House of Assembly withdrew.

The House continued till to Morrow

Saturday January 14th 1775.
The House Met

Present

David Ogden Esqr	Daniel Coxe Esqr
James Parker Esqr	John Lawrence Esqr
The Chief Justice	Francis Hopkinson Esqr

A Message from the House of Assembly, by Mr Hewlings and Mr Eldridge, in the Words following, vizt

"Ordered That Mr Hewlings and Mr Eldridge do wait on "the Council and inform them that this House have appointed "a Committee vizt Mr Fisher, Mr Wetherill, Mr Kinsey, Mr "Crane, Mr Hinchman, Mr Tucker & Mr Mehelms and Mr "Speaker is desired to meet the said Committee to inspect "the Laws as prepared by Mr Allinson for the Press, and to "request the Council (if they think proper) to name a Com- "mittee to join and assist the Committee of this House in "inspecting the Laws so prepared."

House of Assembly } Jona: Deare Clk
Jany 14th 1775. }

Ordered, That the Chief Justice, Mr Coxe and Mr Lawrence, or any two of them, be a Committee to join the Committee of the House of Assembly to inspect the Laws as prepared by Mr Allinson for the Press.

[1] Printed in N. J. Archives, X., 538.

Ordered, That Mr Lawrence do acquaint the House of Assembly therewith.

The House continued till Monday next.

Monday January 16th 1775 The House Met

Present

David Ogden Esqr	Richard Stockton Esqr
The Earl of Stirling	Daniel Coxe Esqr
John Stevens Esqr	John Lawrence Esqr
James Parker Esqr	Francis Hopkinson Esqr

The House continued till to Morrow

Tuesday January 17th 1775 The House Met.

Present

David Ogden Esqr	Richard Stockton Esqr
The Earl of Stirling	Daniel Coxe Esqr
John Stevens Esqr	John Lawrence Esqr
James Parker Esqr	Francis Hopkinson Esqr
The Chief Justice	

The House continued till to Morrow.

Wednesday January 18th 1775 The House Met

Present, as before.

A Message from the House of Assembly in the Words following.

"Ordered That Mr Lawrence, Mr Tucker, Mr Mehelm, "Mr Sheppard and Mr Eldridge, or any three of them be "a Committee to join a Committee of the Council to settle "the Eastern Treasurer's Accounts and burn the cancelled "Money in his Hands and make Report to the House and

"that Mr Combs and Mr Winds do inform the Council "thereof and desire them to appoint a Committee for that "Purpose together with the Time and place of Meeting."

House of Assembly
January 14th 1775.

The House taking the said Message into Consideration

Ordered, That Mr Stevens, Mr Coxe and Mr Lawrence or any two of them be a Committee to join with a Committee of the House of Assembly to settle the Eastern Treasurer's Accounts and burn the cancelled Money in his Hands, and make Report to the House—that the said Committees do meet for that purpose on Fryday next at Six o'Clock in the Evening, at the said Treasurer's House. And that Mr Hopkinson do acquaint the House of Assembly therewith.

Mr Hopkinson Reported that he had obeyed the Order of the House.

His Excellency's Speech to both Houses at the Opening of this Session being read.

Ordered, That Mr Parker, Mr Stockton and Mr Hopkinson be a Committee to prepare and bring in the Draught of an Address to His Excellency in Answer to the said Speech.

The House continued till to Morrow.

Thursday January 19th 1775. The House Met.

Present, as before

The House continued till to Morrow.

Fryday January 20th 1775. The House Met.

Present as before.

The House continued till to Morrow.

Saturday January 21st 1775. The House Met.

Present as before.

The House continued till Monday next.

Monday January 23d 1775. The House Met

Present

John Stevens Esqr	Daniel Coxe Esqr
James Parker Esqr	John Lawrence Esqr
Richard Stockton Esqr	Francis Hopkinson Esqr

The House continued till to Morrow

Tuesday January 24th 1775. The House Met.

Present

David Ogden Esqr	Richard Stockton Esqr
John Stevens Esqr	Daniel Coxe Esqr
James Parker Esqr	John Lawrence Esq.
The Chief Justice	Francis Hopkinson Esqr

Mr Parker from the Committee to whom it was referred to prepare and bring in a Draught of an Address to His Excellency in answer to his Speech at the Opening of the Session, reported that the said Committee had prepared the Draught of an Address which he was ready to report when the House would be pleased to receive the Same

Ordered that the said Report be made immediately.

Mr Parker then Read the said Draught in his Place and delivered it in at the Table.

And the said Draught having been again Read and some Amendments made thereto.

Ordered, That the said Address be engrossed.

The House continued till to Morrow.

Wednesday January 25th 1775 The House met

Present

Peter Kemble Esqr	The Chief Justice
David Ogden Esqr	Richard Stockton Esqr
The Earl of Stirling	Daniel Coxe Esqr
John Stevens Esqr	John Lawrence Esqr
James Parker Esqr	Francis Hopkinson Esqr

The Engrossed Address to His Excellency being read and Compared and approved by the House.

Ordered that the Speaker do sign the same

Ordered, That Mr Coxe and Mr Hopkinson wait upon His Excellency and request to know when he will be pleased to receive the Address of the House.

Mr Coxe reported that Mr Hopkinson and Himself had obeyed the Order of the House, and that His Excellency was pleased to say the House should hear from him.

The House continued till to Morrow.

Thursday January 26th 1775. The House Met.

Present

Peter Kemble Esq.	The Chief Justice
David Ogden Esqr	Daniel Coxe Esqr
The Earl of Stirling	John Lawrence Esqr
John Stevens Esqr	Francis Hopkinson Esqr
James Parker Esqr	

Mr Hinchman and Mr Holmes from the House of Assembly, presented for the Concurrence of this House, a Bill intituled "An Act to enable the Owners and Possessors of the Meadows and Swamps lying on Ramboes Run in the Township of Deptford in the County of Gloucester to keep up and maintain the Bank, Dam, and other Water Works necessary to

keep the Tide from overflowing the same, and to keep the Water Course open and Clear."

Which Bill was read the first time and Ordered a second Reading.

Mr Tucker and Mr Roy from the House of Assembly, presented for the Concurrence of this House, a Bill intituled "An Act to erect and establish Courts in the Several Counties in this Colony for the Trial of Small Causes and to Repeal the former Act for that purpose."

Which Bill was Read the first Time, and Ordered a second Reading.

His Excellency came into the Council Chamber and having signified that he was ready to receive the Address of this House, the House attended and by their Speaker presented the following address, viz[t]

"To His Excellency William Franklin Esq[r] Captain "General, Governor and Commander in Chief in and over "His Majesty's Province of New Jersey and Territories "Depending in America, Chancellor and Vice Admiral in "the same &c.

"The Humble Address of His Majesty's Council of the "said Province.

"May it please your Excellency,

"We, His Majesty's most dutiful and Loyal Subjects, the "Council of the Province of New Jersey, beg leave to return "your Excellency our Thanks for your speech at the Opening "of this Sessions: and to express our Obligations for having "given us so early an Opportunity of transacting the public "Business: and that you have been pleased therein to Consult "our Conveniency.

"We agree with your Excellency that it would argue not "only a great Want of Duty to His Majesty but of Regard to "the good People of this Province, were we on this Occasion, "to pass over in Silence the present alarming Transactions "which are so much the Object of public Attention, and

"therefore beg Leave to assure you that, feeling ourselves "strongly influenced by a zealous Attachment to the Interests "of Great Britain and her Colonies, and deeply impressed "with a sense of the important Connection they have with "each other, we shall, with all Sincere Loyalty to our most "Gracious Sovereign, and all due Regard to the true Welfare "of the Inhabitants of this Province, endeavour to prevent "those Mischiefs which the present Situation of Affairs seems "to threaten, and by our Zeal for the Authority of Govern- "ment on the one Hand, and for the Constitutional Rights of "the People on the other, aim at restoring that Health of the "Political Body which every good Subject must earnestly "desire.

"Your Excellency may be assured that we will exert our "utmost Influence both in our publick and private Capacities "to restore that Harmony between the Parent State and His "Majesty's American Dominions which is so essential to the "Happiness and Prosperity of the whole Empire:—and "earnestly looking for that happy Event, we will endeavour "to preserve Peace and good Order among the People and a "Dutiful Submission to the Laws."[1]

To which His Excellency was pleased to Reply in the Words following, viz[t]

"Gentlemen,

I heartily thank you for this Address.

"Your Sentiments concerning the present alarming Trans- "actions—Your Expressions of Zealous Attachment to the "Interests of Great Britain and her Colonies—Your Promises "to exert your utmost Influence to restore Harmony between "them, and to preserve Peace, good Order, and a dutiful Sub- "mission to the Laws, are Such as evince your Loyalty to the "most gracious of Sovereigns, and your regard for the true "Welfare of the People. Their Constitutional Rights will "ever be found best Supported by a strict Obedience to the "Laws and Authority of Government. Whenever that Bar-

[1] Printed in N. J. Archives, X., 541.

"rier is broken down, Anarchy and confusion, with all their "attendant Evils, will most assuredly enter and destroy all "the Blessings of Civil Society."

A Message from the House of Assembly by Mr Elmer and Mr Hand, in the words following, viz^{t}

"Mr Tucker from the Committee appointed to Settle the "Eastern Treasurer's Accounts informing the House that the "Committee cannot proceed in settling the same for Want of "Power to Settle with the late Treasurer (in whose Hands "the Cancelled Money is) Ordered that the same Committee "do in conjunction with the Committee of the Council, Settle "the late Treasurer's Accounts, and burn the Cancelled "Money in his Hands and make Report thereof to this House— "Ordered also that Mr Fisher and Mr Hinchman be added to "the said Committee for Settling the late and present Treas- "urers Accounts. Ordered that Mr Elmer and Mr Hand do "inform the Council thereof and desire them to appoint a "Committee for that purpose together with the Times and "place of Meeting."

The House having taken the said Message into Consideration and finding that Mr Stevens, Mr Coxe and Mr Lawrence have been appointed a Committee to join the Committee of the House of Assembly to settle the Eastern Treasurer's Accounts and burn the Cancelled Money in his Hands.

Ordered, That the said Committee be also a Committee to join the Committee of the House of Assembly to settle the said Treasurer's Accounts and burn the cancelled Money in his Hands and make Report thereof to this House—and that the said Committees do meet for that Purpose at the House of the said late Treasurer at 9 o'clock on Tuesday Morning next.

Ordered, That Mr Lawrence do Acquaint the House of Assembly therewith.

Mr Lawrence reported that he had odeyed the Order of the House.

The House continued till to Morrow.

Fryday January 27th 1775. The House Met

Present

Peter Kemble Esqr	The Chief Justice
David Ogden Esqr	Daniel Coxe Esqr
The Earl of Stirling	John Lawrence Esqr
John Stevens Esqr	Francis Hopkinson Esqr
James Parker Esqr	

The House continued till to Morrow.

Saturday January 28th 1775. The House Met.

Present as before.

The House continued till Monday next

Monday January 30th 1775. The House Met.

Present

Peter Kemble Esqr	Richard Stockton Esqr
David Ogden Esqr	Daniel Coxe Esqr
James Parker Esqr	John Lawrence Esqr
The Chief Justice	Francis Hopkinson Esqr

The Bill intituled "An Act to enable the owners and Possessors of the Meadows and Swamps lying on Ramboes Run" &c was read the Second Time, and Ordered a third Reading.

The Bill intituled "An Act to erect and establish Courts in the Several Counties in this Colony for the Trial of Small Causes" &c were read the second Time and committed to the Members of this House or any three of them.

The House continued till to Morrow.

Tuesday January 31st 1775. The House Met.

Present as before.

The House continued till to Morrow

Wednesday February 1st 1775. The House Met.

Present

Peter Kemble Esqr	Richard Stockton Esqr
David Ogden Esqr	Daniel Coxe Esqr
James Parker Esqr	John Lawrence Esqr
The Chief Justice	Francis Hopkinson Esqr

Mr Mehelm and Mr Elmer from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to regulate the taking Fish in the River Delaware "above the Falls at Trenton," which Bill was read the first Time and ordered a second Reading.

Mr Dey and Mr Hand from the House of Assembly presented for the Concurrence of this House "An Act to assess the Township of Amwell in order to reimburse Joseph Moore for Repairing a Bridge in the said Township."

Which Bill was read the first Time and ordered a second Reading.

Mr Parker from the Committee to whom was referred the Bill intituled "An Act to erect and establish Courts in the several Counties in this Colony for the Trial of Small Causes" &c reported that the said Committee had gone thro' the same and made sundry Amendments thereto, which he was ready to report when the House would be pleased to receive the same.

Ordered that the said Report be made immediately.

Whereupon Mr Parker read the said Amendments in his place, and delivered them in at the Table.

And the said Amendments being again read, were approved of by the House.

The House continued till to Morrow

Thursday February 2d 1775 The House met.

Present

Peter Kemble Esqr	Richard Stockton Esqr
David Ogden Esqr	Daniel Coxe Esqr
James Parker Esqr	John Lawrence Esqr
The Chief Justice	Francis Hopkinson Esqr

The Bill intituled "An Act to erect and establish Courts in the several Counties in this Colony for the Trial of Small Causes, and to Repeal the former Act for that Purpose" was read the third Time with the Amendments in their Places, and on the Question

Resolved that the said Bill as amended do pass.

Ordered That the Speaker do sign the said Bill and Amendments.

Ordered, That Mr Parker do Carry the said Bill and Amendments to the House of Assembly and desire their Concurrence in the said Amendments.

Mr Parker reported that he had obeyed the order of the House.

The Bill intituled "An Act to assess the Township of Amwell in order to reimburse Joseph Moore for repairing a Bridge in said Township was read the second Time, and ordered a third Reading.

The House continued till to Morrow.

Fryday February 3d 1775. The House met.

Present

Peter Kemble Esqr	Richard Stockton Esqr
David Ogden Esqr	Daniel Coxe Esqr
James Parker Esqr	John Lawrence Esqr
The Chief Justice	Francis Hopkinson Esqr

Mr Winds and Mr Elmer from the House of Assembly brought back to this House the Bill intituled "An Act to

erect and establish Courts in the several counties" &c with the following Message viz[t]

"Ordered that M[r] Winds and M[r] Elmer do carry back to "the Council the Bill intituled "An Act to erect and establish "Courts in the Several Counties for the Trial of Small "Causes" &c and acquaint them that this House do agree to "all the Amendments made by the Council except that in the "16th Section to which they disagree, and in that Part adhere "to the Bill."

The House taking the said Message into Consideration.

Resolved, That this House do recede from the Amendment made to the 16th Section of the Bill intituled "An Act to "erect and establish Courts in the several Counties" &c.

Ordered that M[r] Parker do Acquaint the House of Assembly therewith.

The Bill intituled "An Act to assess the Township of Amwell in order to reimburse Joseph Moore for repairing a Bridge in said Township" was read the third Time, and on the Question.

Resolved that the same do pass.

Ordered that the Speaker do sign the same.

Ordered that M[r] Parker do acquaint the House of Assembly therewith.

M[r] Parker reported that he had obeyed the Orders of the House.

The Bill intituled "An Act to regulate the taking Fish in the River Delaware above the Falls at Trenton," was read the second Time, and

On the Question whether the said Bill be ordered a third Reading.

It was carried in the Negative.

Ordered that the said Bill do lie on the Table.

M[r] Stevens, from the Committee appointed to join with a Committee of the House of Assembly to settle the Accounts of the Eastern Treasurer and burn the cancelled Money in his Hands and also to settle the Accounts of the late Eastern

Treasurer and burn the cancelled Money in his Hands, reported that the said Committees had Met according to Appointment and settled the Accounts of the said Treasurers and burnt the cancelled Money in their Hands respectively and that he was ready to make Report thereof when the House would be pleased to receive the same.

Ordered that the said Report be made immediately

Whereupon M[r] Stevens read the said Accounts in his Place and delivered them in at the Table—and the same being again read were approved by the House.

Ordered that the said Accounts be inserted in the Minutes of this House; and they are as follows, viz[t]

D[r] Stephen Skinner his Account Current with the Province of New Jersey C[r]

To Ballance of Acct Settled by the Committee 7th Sept 1772	6711	18	8¾	By Amount of Sundry Vouchers Produced indorsed and Allowed	£2791	13 4
Deduct therefrom the Money Stolen from the Treasury 21st July 1768	6570	9	4	By Cash paid John Smyth P Rec[t]	17111	6 3¾
	£141	9	4¾	By Cash paid John Smyth per rec[t]	1500	0 0
To Ballance of Sinking Fund	15768	5	3			
To Ballance Support Government	485	15	0			
To Cash for Exchanging Ragged Bills	5000	0	0			
To D[o] of John Wetherill for Fine of a Pedlar	7	10	0			
	£21402	19	7¾		£21402	19 7¾

Perth Amboy January 24[th] 1775.

STEPHEN SKINNER.

The above is the Account of the late Treasurer as Exhibited by him to us, but to which your Committees could not Agree, as the sum of £6570 „ 9 „ 4 is deducted, which sum is said to be stolen out of the Treasury, and for which an Action is now depending and undetermined Therefore State the following Account.

By Order of the Committees.

Jn° Stevens.
Richd Lawrence.

Dr Stephen Skinner his Account Current with the Province of New Jersey Cr

To ballance of Accot Settled by the Committee 7th Sepr 1772	£6711 „ 18 „ 8¾	By Amount of sundry Vouchers Indorsed and Allowed	£2791 „ 12 „ 4
To Ballance of Sinking Fund	15768 „ 5 „ 3	By Cash paid John Smyth Esqr the present Treasurer as P Acct	18611 „ 6 „ 3¼
To Ballance of Support of Government	485 „ 15 „ 0	Ballance due to the Province	6570 „ 9 „ 4½
To Cash for exchanging ragged Bills	5000 „ 0 „ 0		
To Do of John Wetherill for Fine of Pedlar.	7 „ 10 „ 0		
	£27973 „ 8 „ 11¾		£27973 „ 8 „ 11¾

Perth Amboy, Janry 24th 1775.

By Order of the Committees.

Jn° Stevens.
Richd Lawrence.

Dr Stephen Skinner Accot Support Government with the Province of New Jersey Cr

To a Tax Ordered to be Levied for Support of Government for the Year 1773 viz.	By Sundry Deficiencies of Taxes not paid in to be Accounted for by Mr Treasurer J. Smyth, viz.

Bergen.....	£232 „ 11 „ 0	Essex.....£260 „ 1 „ 0		
Essex.....	260 „ 1 „ 0	Somerset....316 „ 9 „ 0		
Somerset	316 „ 9 „ 0	Middlesex..305 „ 6 „ 0		
Middlesex.....	305 „ 6 „ 0	Monmouth.374 „ 4 „ 0		
Monmouth.....	374 „ 4 „ 0			1256 „ 0 „ 0
Morris.....	253 „ 4 „ 0	Ballance Carried to Acc[t] Current..		485 „ 15 „ 0
	£1741 „ 15 „ 0			£1741 „ 15 „ 0

Perth Amboy January 23[d] 1775.

By Order of the Committees.

Jn° Stevens.

Rich[d] Lawrence.

D[r] Stephen Skinner Account of the Sinking Fund with the Province of New Jersey C[r]

To Ballance of Account 7[th] Sept 1772.....		£7984 „ 3 „ 3	By Current Bills of Credit Cancelled by the Justices and Freeholders as per their Certificate May 1773 in full of the Tax for the year 1770, and this day Burned..... ...	£2741 „ 3 „ 6
To Cash Received of Middlesex County Deficiency 1770..	£654 „ 16 „ 0		By Current Bills of Credit Cancelled by the Justices and Freeholders as per their Certificate in May 1773 Part of the Tax of 1771, and this Day Burned.....	1679 „ 5 „ 0
To Do Monmouth Deficiency	243 „ 17 „ 8			
To Do Somerset Do.....	78 „ 13 „ 5			
		977 „ 7 „ 1		
				£4420 „ 8 „ 6
To the Sinking Fund Tax directed to be Raised for the year 1772, viz[t]				
Bergen.....	£830 „ 10 „ 0			
Essex.....	928 „ 14 „ 0			
Middlesex.....	1090 „ 8 „ 0			
Monmouth.....	1336 „ 8 „ 0			
Somerset.....	1130 „ 2 „ 0			
Morris.....	904 „ 5 „ 0			
		6220 „ 7 „ 0	By Sundry Deficiencies of Taxes not Paid in viz[t] for the year 1772	
To the Sinking Fund Tax directed to be raised 1773, viz[t]			Middlesex,£515 „ 4 „ 0	
Bergen.....	830 „ 10 „ 0		Monmouth 211 „ 17 „ 5	
Essex	928 „ 14 „ 0		Somerset... 486 „ 9 „ 2	
Middlesex	1090 „ 8 „ 0			1213 „ 10 „ 7
Monmouth.....	1336 „ 8 „ 0			
Somerset.....	1130 „ 2 „ 0			
Morris.....	904 „ 5 „ 0			
		6220 „ 7 „ 0	Ballance to Acco[t] Current.....	15768 „ 5 „ 3
		£21,402 „ 4 „ 4		£21,402 „ 4 „ 4

Perth Amboy January 23[d] 1775.

By Order of the Committees.

Jn° Stevens,

Rich[d] Lawrence.

D^r John Smyth his Account Current with the Province of New Jersey C^r

To Cash Recd of the late Treasurer....£17111 ,, 6 ,, 3		By Sundry Vouchers Produced indorsed and allowed including Support of Government War Fund and Bounties.....	£2635 ,, 5 ,, 7
To Do Recd of Do..... 1500 ,, 0 ,, 0		Ballance due the Province.....	20,550 ,, 13 ,, 11
	18611 ,, 6 ,, 3		
To Ballance of Sinking Fund.....	2664 ,, 10 ,, 2		
To Ballance of Support of Government.....	1820 ,, 2 ,, 0½		
To Cash of Joseph Skelton for fine of a Pedlar.....	7 ,, 10 ,, 0		
To Ballance Rec^d in full of old Arrears for the County of Middlesex.....	82 ,, 11 ,, 0½		
	£23,185 ,, 19 ,, 6		£23185 ,, 19 ,, 6

Perth Amboy February 3^d 1775.

JOHN SMYTH Treas^r

By Order of the Committees.

JN° STEVENS.

RICH^d LAWRENCE.

Besides the above Ballance there is in the present Treasurer's Hands Outstanding Debts on Account of the Parliamentary Donations a Bond and Mortgage from Lord Stirling for £2605 ,, 18 ,, 8 of which no Part is paid, Also Bonds and Mortgages from John and Gabriel Ogden for £1753 ,, 16 ,, 3 of which last the present Treasurer has received £100: the sum of £160: received on same Account being Accounted for by the Late Treasurer in 1771.

D^r John Smyth Account of Support of Government with the Province of New Jersey C^r

To Cash rec^d for County Deficiencies for the year 1773 viz^t	By Sundry Deficiencies of Taxes not paid in, viz^t

Essex	£260	1	0		
Somerset	316	9	0		
Middlesex	305	6	0		
Monmouth	374	4	0		
				1256	0 0
To a Tax Ordered to be Levied for Support of Government for the year 1774 viz^{t}					
Bergen	£232	11	0		
Essex	260	1	0		
Somerset	316	9	0		
Middlesex	305	6	0		
Monmouth	374	4	0		
Morris	253	4	0		
				1741	15 0
				£2997	15 0

Essex	£260	1	0		
Middlesex	307	4	2½		
Monmouth	610	7	9		
				1177	12 11½
Ballance carried to Acc^{t} Current				1820	2 0½
				£2997	15 0

Perth Amboy February 2^{d} 1775.

JOHN SMYTH Treasurer.

By Order of the Committees.

JN^{o} STEVENS.

RICH^{d} LAWRENCE.

D^{r} John Smyth Account of the Sinking Fund with the Province of New Jersey C^{r}

To Cash Rec^{d} on Account of Deficiency for the year 1772 viz^{t}					
Middlesex	£515	4	0		
Monmouth	211	17	5		
Somerset	486	9	2		
				£1213	10 7
To the Sinking Fund Tax directed to be raised for the year 1774, viz^{t}					
Bergen	£996	12	0		
Essex	1114	7	0		
Middlesex	1308	10	0		
Monmouth	1603	14	0		
Somerset	1356	3	0		
Morris	1085	2	0		
				7464	8 0
				£8677	18 7

By Current Bills of Credit Laid before the Justices and Freeholders as per their Certificate May 1774 in Part of the Tax 1771, and this day burned				£4237	6 0
By Sundry Deficiencies of Taxes not paid in for the year 1774, viz^{t}					
Essex	£467	12	5		
Middlesex	1308	10	0		
				1776	2 5
Ballance to Account Current				2664	10 2
				£8677	18 7

Perth Amboy, February 2^{d} 1775.

By Order of the Committees.

JN^{o} STEVENS.

RICH^{d} LAWRENCE.

D^r John Smyth Treasurer on Account of Old Deficiencies C^r with Province of New Jersey.

To Old Arrearages Ordered to be Levied 1773, viz^t		By Cash Received from the County of Middlesex and Carried to the Credit of the Province in Account Current with the Treasurer	£82, 11,, 0½
Middlesex	£82,, 11,, 0½	Ballance due the Province	137,, 12,, 3
Bergen	21,, 4,, 9¼		
Somerset	1,, 5,, 0		
Essex	72,, 6,, 5¼		
Do	42,, 16,, 0		
	£220,, 3,, 3		£220,, 3,, 3

Perth Amboy, February 3^d 1775.

By Order of the Committees.

Jn° Stevens.

Rich^d Lawrence.

The House continued till to Morrow.

Saturday February 4^th 1775. The House Met.

Present

Peter Kemble Esq^r	Richard Stockton Esq^r
David Ogden Esq^r	Daniel Coxe Esq^r
James Parker Esq^r	John Lawrence Esq^r
The Chief Justice	Francis Hopkinson Esq^r

The House continued till Monday next.

Monday February 6^th 1775. The House met.

Present as before.

The Bill intituled "An Act to enable the Owners and Possessors of the Meadows and Swamps lying on Ramboes Run in the Township of Deptford in the County of Gloucester to

keep up and maintain the Bank Dam and other Water Works necessary to keep the Tide from Overflowing the same, and to keep the Water Course open and clear," was read the third time, and on the Question

Resolved that the said Bill do pass.

Ordered, That the Speaker do Sign the Same.

Ordered, That Mr Hopkinson do acquaint the House of Assembly therewith.

Mr Hopkinson reported that he had Obeyed the Order of the House.

Mr Dey and Mr Sheppard from the House of Assembly brought back the Bill reingrossed with the Amendments of this House, intituled "An Act to erect and establish Courts in the several Counties in this Colony for the Trial of Small Causes, and to Repeal the former Act for that purpose"

Which reingrossed Bill having been read and Compared.

Ordered That the Speaker do sign the same.

Mr Roy and Mr Combs from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for raising the sum of three Hundred and fifty "seven Pounds fourteen shillings and eleven pence proclama- "tion Money on the Inhabitants of the County of Somerset "for repaying certain Persons therein named the Money they "have Advanced in rebuilding Queens Bridge."

Which Bill was read the first Time and Ordered a Second Reading.

Mr Roy and Mr Combs from the House of Assembly presented for the Concurrence of this House a Bill intituled "An "Act for raising the sum of One hundred and Twenty Two "Pounds fourteen shillings and three pence proclamation "Money on the Inhabitants of the Counties of Middlesex "and Somerset for repaying the Managers of the Landing "Bridge, the Money they have advanced for compleating the "said Bridge"

Which Bill was read the first Time and Ordered a Second Reading.

The House continued till to Morrow.

Tuesday February 7th 1775. The House Met.

Present

Peter Kemble Esqr	Daniel Coxe Esqr
John Stevens Esqr	John Lawrence Esqr
James Parker Esqr	Francis Hopkinson Esqr

The Bill intituled "An Act for raising the sum of Three "Hundred and fifty seven Pounds fourteen shillings and "eleven Pence Proclamation Money, on the Inhabitants of "the County of Somerset for repaying" &c was read the Second Time and Ordered a third reading.

The Bill intituled "An Act for raising the sum of One "Hundred and twenty two Pounds fourteen shillings and "three pence proclamation Money on the Inhabitants of the "Counties of Middlesex and Somerset for repaying" &c. was read the second Time and ordered a third reading.

Mr Fisher and Mr Mehelm from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act for Preserving of Oysters in the Colony of New "Jersey."

Which Bill was Read the first Time and ordered a second Reading.

The House continued till to Morrow

Wednesday February 8th 1775. The House Met

Present

Peter Kemble Esqr	The Chief Justice
David Ogden Esqr	Richard Stockton Esqr
The Earl of Stirling	Stephen Skinner Esqr
John Stevens Esqr	Daniel Coxe Esqr
James Parker Esqr	Francis Hopkinson Esqr

The Bill intituled "An Act for raising the sum of Three "Hundred and fifty seven Pounds fourteen shillings and "Eleven pence" proclamation Money on the Inhabitants of

"the County of Somerset for repaying certain Persons therein "named the money they have advanced in rebuilding Queen's "Bridge," was read the third Time, and on the Question.

Resolved that the same do pass.

Ordered that the Speaker do sign the Same.

Ordered that Mr Coxe do acquaint the House of Assembly therewith.

The Bill intituled "An Act for raising the sum of One "Hundred and Twenty two Pounds fourteen shillings and "three pence proclamation Money, on the Inhabitants of the "Counties of Middlesex and Somerset for repaying the "Managers of the Landing Bridge the Money they have "advanced for Compleating the said Bridge," was read the third Time, and on the Question,

Resolved, that the Same do pass.

Ordered that the Speaker do sign the same.

Ordered, that Mr Coxe do acquaint the House of Assembly therewith.

Mr Coxe reported that he had obeyed the Orders of the House.

The Bill intituled "An Act for preserving of Oysters in the Colony of New Jersey," was read the Second Time, and committed to the Members of this House or any three of them.

Mr Crane and Mr Winds from the House of Assembly presented for the Concurrence of this House a Bill intituled "An Act to confirm and Establish a Road laid out by virtue of an "Act entitled "An Act for laying out and establishing a Road from Bergen Point along up Newark Bay and from thence to Paulus Hook or Hudson's River." Which was read the first Time and ordered a Second Reading.

Mr. Stockton from the Committee to whom was referred the Bill intituled "An Act for preserving of Oysters in the Colony of New Jersey" reported that the said Committee had gone thro' the said Bill and made sundry Amendments thereto, and one Amendment to the Title thereof which he was ready to Report when the House would be pleased to receive the same.

Ordered that the said report be made immediately.

Whereupon Mr Stockton read the said Amendments in his Place and delivered them in at the Table.

And the said Amendments being again read were agreed to by the House.

The Bill intituled "An Act for preserving of Oysters in "the Colony of New Jersey" was read the third Time with the Amendments in their Places, and on the Question.

Resolved that the said Bill as amended do pass.

Ordered That the Speaker do sign the said Bill and Amendments.

Ordered That Mr Stockton do carry the said Bill and Amendments to the House of Assembly, and desire their Concurrence in the said Amendments.

The House continued till 4 o'Clock P. M.

4 o'Clock P. M. The House Met.

Present, as before.

Mr Stockton reported that he had obeyed the Order of the House of this Morning.

The Bill intituled "An Act to confirm and establish a Road "laid out by virtue of an Act entitled An Act for Laying "out and establishing a Road from Bergen Point along up "Newark Bay and from thence to Paulus Hook on Hudson's "River," was read the Second Time and Ordered a third Reading.

The House continued till to Morrow.

Thursday February 9th 1775. The House Met

Peter Kemble Esqr	Richard Stockton Esqr
David Ogden Esqr	Stephen Skinner Esqr
The Earl of Stirling	Daniel Coxe Esq.
John Stevens Esqr	Francis Hopkinson Esqr
James Parker Esqr	

Mr Fisher and Mr Combs from the House of Assembly brought up the Bill reingrossed with the Amendments made by this House intituled "An Act for the preservation of Oysters in the Colony of New Jersey." Which reingrossed Bill being read and Compared.

Ordered that the Speaker do Sign the Same.

The Bill intituled "An Act to Confirm and establish a Road laid out by virtue of an Act intituled An Act for Laying out and establishing a Road from Bergen Point along up Newark Bay and from thence to Paulus Hook on Hudsons River," was read the third Time and on the Question.

Resolved that the same do pass.

Ordered that the Speaker do Sign the Same.

Ordered that Mr Coxe do acquaint the House of Assembly therewith.

John Smyth Esqr Treasurer attending and being called in informed this House that he had entered into a New Bond with additional Security for the true and faithful Execution of his Office as one of the Treasurers of this Province, and desired the Sentiments of this House as to the sufficiency thereof.

Which being considered, it is the Unanimous Opinion of this House that his Securities are ample and sufficient and that his former Bond should be Cancelled upon his Lodging the new Bond in the Secretary's Office agreeably to the directions of the Act of Assembly.

Mr Kinsey and Mr Tucker from the House of Assembly presented for the Concurrence of this House a Bill intituled "A Supplementary Act to An Act intitled An Act for the "Relief of Insolvent Debtors." Which was read the first Time and ordered a second reading.

The House continued till 3 o'clock P. M.

3 o'clock P. M. The House Met.

Present

Peter Kemble Esq^{r}	Richard Stockton Esq^{r}
David Ogden Esq^{r}	Stephen Skinner Esq^{r}
The Earl of Stirling	Daniel Coxe Esq^{r}
John Stevens Esq^{r}	Francis Hopkinson Esq^{r}
James Parker Esq^{r}	

M^{r} Fisher, M^{r} Wetherill, M^{r} Crane, M^{r} Ford, M^{r} Lawrence, Mr. Sheppard and M^{r} Hinchman from the House of Assembly, presented for the Concurrence of this House a Bill intituled "An Act for the Support of Government of His "Majesty's Colony of New Jersey to commence the first Day "of October One thousand seven Hundred and seventy four, "and to end the first Day of October One thousand seven "hundred and seventy five, and to discharge the Publick "Debts and contingent Charges thereof."

Which Bill was read the first Time and Ordered a second Reading.

The Bill intituled "A Supplementary Act to an Act intituled An Act for the Relief of Insolvent Debtors" was read the second Time and Ordered a Third reading.

The House continued till to Morrow.

Fryday February 10th 1775. The House Met.

Present.

Peter Kemble Esq^{r}	Richard Stockton Esq^{r}
David Ogden Esq^{r}	Stephen Skinner Esq^{r}
The Earl of Stirling	Daniel Coxe Esq^{r}
John Stevens Esq^{r}	
James Parker Esq^{r}	

The Bill intituled "An Act for the Support of Government" &c. was read the second Time and ordered a third Reading.

The Bill intituled "A Supplementary Act to an Act entitled "An Act for the Relief of Insolvent Debtors" was read the third Time, and on the Question.

Resolved That the same do pass.

Ordered That the Speaker do sign the same.

Ordered That M[r] Stevens do acquaint the House of Assembly therewith.

M[r] Stevens Reported that he had obeyed the Order of the House.

The [House] continued till 4 o'clock P. M.

4 o'clock P. M. The House Met

Present

Peter Kemble Esq[r]	Richard Stockton Esq[r]
The Earl of Stirling	Stephen Skinner Esq[r]
John Sievens Esq[r]	Daniel Coxe Esq[r]
The Chief Justice	

The Bill intitled "An Act for the Support of Government of His Majesty's Colony of New Jersey to commence the first Day of October One thousand seven Hundred and seventy four, and to end the first Day of October One thousand seven hundred and seventy five, and to discharge the Public Debts and Contingent Charges thereof," was read the third Time, and on the Question.

Resolved, That the same do pass.

Ordered That the Speaker do sign the same.

Ordered That M[r] Coxe do Acquaint the House of Assembly therewith.

M[r] Coxe reported that he had obeyed the Order of the House.

M[r] Coxe in his Place acquainted the House that he had received Information that James Murdock of the City of Perth Amboy, Surgeon, had presumed to send a Challenge to one of the Members of this House, [during] sitting of the

General Assembly of this Colony, and moved the House that the said Member be called upon to produce the Letter containing the said Challenge.

Whereupon, by Order of the House, the said Letter was produced, and is in the words following—viz^{t}

"My Lord,

It is needless to repeat your Lordship's behaviour last "night, M^{r} Murdock now desires of your Lordship Time "and place to have the satisfaction of a Gentleman.

"I am

"Your Lordship's Most Obed^{t} Serv^{t}

"Fryday Morning." "Ja^{s} Murdock."

Superscribed thus.

"To Lord Stirling"

Resolved Unanimously, That the said Letter is a most audacious insult to Lord Stirling, and that sending the same to him during the Sitting of the General Assembly of this Colony is a daring Contempt of the Authority and a manifest Violation of the Rights and Privileges of this House.

Ordered Therefore, that the Speaker do issue his Warrant directed to the Sergeant at Arms, commanding him to apprehend and bring the said James Murdock forthwith before the House to answer for the said Contempt.

The House being informed that James Murdock was attending at the Door in Custody of the Sergeant at Arms.

Ordered that he be brought in. And on his Appearance before the House and the said Letter being Shown to him, he Acknowledged that he wrote and sent the same as directed, and that he meant it as a Challenge. But said he had done it in the heat of Passion—that he was sensible he had done exceedingly wrong and was sorry for his Indiscretion, and that he was ready to make such farther Acknowledgment as the House should be pleased to direct.

Ordered That the Sergeant at Arms withdraw with the

said James Murdock, and that he remain in his Custody till farther Orders.

The House continued till to Morrow

Saturday February 11th 1775. The House Met.

Present

Peter Kemble Esqr	Richard Stockton Esqr
The Earl of Stirling	Stephen Skinner Esqr
John Stevens Esqr	Daniel Coxe Esqr
The Chief Justice	

The House resumed the Consideration of the Insult and Breach of Priviledge committed by James Murdock.

Resolved That the said Murdock be brought up before this House by the Sergeant at Arms; and that he receive such Reprimand and Admonition from the Speaker as the Nature of his Offence Requires, and that he be also Commanded to make such Submission and Acknowledgment of his Offence as may be Satisfactory as well to the House as to Lord Stirling.

Whereupon the said James Murdock was accordingly brought before the House in custody of the Sergeant at Arms and being reprimanded and Admonished, did declare his unfeigned Sorrow for the Insult by him offered to the House—thanked the House for their lenity towards him, and with the fullest Acknowledgments of his Submission to the House, implored their Pardon and Forgiveness as well for the public Insult offered to them as for the Affront to Lord Stirling.

Whereupon he was Ordered to be discharged from Custody on Paying the accustomed Fees to the Sergeant at Arms.

His Excellency came into the Council Chamber, and having by the Deputy Secretary, commanded the Attendance of the House of Assembly, the speaker with the House attended. When His Excellency was pleased to give his Assent to sun-

dry Bills, enacting the same, and Ordering them to be Enrolled. The Titles of which are as follows, viz^{t}

1. An Act for the Support of Government of His Majesty's Colony of New Jersey, to commence the first Day of October One thousand seven hundred and seventy four, and to end the first Day of October One thousand seven hundred and seventy five, and to discharge the Public Debts and Contingent Charges thereof.

2. An Act to erect and establish Courts in the several Counties in this Colony for the Trial of Small Causes and to Repeal the former Act for that Purpose.

3. An Act for the Preservation of Oysters in the Colony of New Jersey.

4. An Act for raising the sum of One Hundred and Twenty two pounds fourteen shillings and three pence proclamation Money on the Inhabitants of the Counties of Middlesex and Somerset for repaying the Managers of the Landing Bridge the Money they have advanced for completing the said Bridge.

5. An Act for raising the sum of Three Hundred and fifty seven pounds fourteen shillings and eleven pence proclamation Money on the Inhabitants of the County of Somerset for repaying certain Persons therein named the Money they have advanced in rebuilding Queen's Bridge.

6. An Act to assess the Township of Amwell in order to Reimburse Joseph Moore for Repairing a Bridge in said Township.

7. An Act to enable the Owners and Possessors of the Meadows and Swamps lying on Ramboes Run in the Township of Deptford in the County of Gloucester, to keep up and maintain the Bank, Dam, and other Water Works necessary to keep the Tide from overflowing the same, and to keep the Water Course open and clear.

8. An Act to confirm and establish a Road laid out by Virtue of an Act entitled "An Act for laying out and estab-

lishing a Road from Bergen Point along up Newark Bay and from thence to Paulus Hook on Hudson's River."

The House continued till Monday next.

Monday February 13th 1775. The House Met.

Present

The Earl of Stirling	Stephen Skinner Esqr
John Stevens Esqr	Daniel Coxe Esqr
Mr Chief Justice	

A Message from the House of Assembly by Mr Fisher and Mr Eldridge, informing this House that the House of Assembly have no further Business before them, and desiring to know whether this House have any Objection to their applying to His Excellency for a Dissmission.

To which the Speaker answered that there was no further Business before this House, and that the House have no Objection to such Application being made for a Dismission.

His Excellency came into the Council Chamber, and having by the Deputy Secretary commanded the Attendance of the House of Assembly, the Speaker with the House attended, when His Excellency was pleased to give his Assent to a Bill intituled "A Supplementary Act to an Act intituled An "Act for the Relief of Insolvent Debtors." Enacting the same and ordering it to be enrolled, after which the Speaker with the House of Assembly withdrew.

The House continued till 6 o'Clock P. M.

6 o'Clock P. M. The House Met.

Present

The Earl of Stirling	Stephen Skinner Esqr
John Stevens Esqr	Daniel Coxe Esqr
The Chief Justice	

The Speaker with the House of Assembly came into the Council Chamber, When the Deputy Secretary read to both Houses His Majesty's Proclamation Proroguing the General Assembly to Tuesday the fourteenth day of March next, then to meet at the City of Burlington.

A true Copy
CHA^{S} PETTIT, D Clerk

[L. S.] At a Council held at Perth Amboy on the 12th Day of January 1775.

Present
His Excellency the Governor

David Ogden Esq.	Daniel Coxe Esq.
James Parker Esq.	John Lawrence Esq.
The Chief Justice	Francis Hopkinson Esq.

His Excellency was Pleased to lay before the Board a Letter from William Mecum, one of the Coroners of the County of Salem, requesting leave to resign his said Office, Whereupon the Council advised His Excellency to Accept the said Resignation.

His Excellency was pleased to lay before the Board a Petition from Samuel Ogden Esq^{r} praying in case the Earl of Stirling should fail of prosecuting his Complaint against the Petitioner on the Sixteenth instant pursuant to the Order of this Board made the 16th of November last, that then the Petitioner shall have Leave to produce Evidence to the Board on the 17th instant in Support of his Charges against the said Earl of Stirling.[1]

Whereupon it is ordered that the Prayer of the said Petition be granted.

[1] For controversy between Earl of Stirling and Col. Samuel Ogden, see Life of William Alexander, Earl of Stirling, 104-111.

At a Council held at Perth Amboy on the 16th Day of January 1775.

Present

His Excellency The Governor.

David Ogden Esq^{r}	Richard Stockton Esq^{r}
The Earl of Stirling	Daniel Coxe Esq^{r}
John Stevens Esq^{r}	John Lawrence Esq^{r}
James Parker Esq^{r}	Francis Hopkinson Esq^{r}

His Excellency was Pleased to Lay before the Board a Petition from William Goodwin of Knowlton in the County of Sussex Setting forth, That he has purchased a Lot of Land between the Junction of Pawlins Kill with the River Delaware, and the Pahaqualong Mountain and fronting on the River Delaware, whereon he has with great Expence and Labour erected a convenient Ferry House and other Buildings and provided suitable Boats for Ferrying over the said River Delaware; and being desirous to reap the Benefit of his said Labour and Expence, The Petitioner therefore Prays that his Excellency will be pleased to Grant him a Patent for holding the said Ferry within certain Bounds therein mentioned. And a Certificate being subjoined to the said Petition, subscribed by twenty five Persons Inhabitants of the said County of Sussex Certifying the Truth of the Facts above mentioned and that the said Ferry is become of great Use to the Publick, and therefore humbly desiring that the Patent as above prayed for may be granted.

The Council advised His Excellency to grant the Prayer of the said Petition.

M^{r} Ogden and Lord Stirling withdrew from the Board.

The Earl of Stirling informed His Excellency that he was now ready to proceed to Support the Charge exhibited against Samuel Ogden Esq^{r} pursuant to the Order of the Board on the 16th of November last, and made application to the Board for Leave to be heard by Council; and it appearing to the

Board that Mr Ogden was likewise desirous of being heard by Council, the same was taken into Consideration, and from the particular Circumstances of this Case, the Board think proper to admit the said Parties to be heard by their Council.

Ordered, that Mr Stevens, Mr Parker, Mr Chief Justice, Mr Stockton, Mr Coxe, Mr Lawrence and Mr Hopkinson, or any five of them, and such other of the Council as choose to attend, be a Committee to hear and enquire into the proofs and Allegations of the said Parties and make report thereof to the Board.

At a Council held at Perth Amboy on Thursday the 26th Day of January 1775.

Present His Excellency the Governor.

Peter Kemble Esqr	The Chief Justice
David Ogden Esqr	Daniel Coxe Esqr
The Earl of Stirling	John Lawrence Esqr
John Stevens Esqr	Francis Hopkinson Esqr
James Parker Esqr	

John Denn, ex Demise of Samuel Hunt, and Ralph Hunt, Survivor &c James Stannings, v Capt John Anderson Samuel Philips and Waters Smith.

In Error, Sur Ejectment for Lands in Hunterdon, Mr Coxe, of Council for the Defendant in Error, moved that the Plaintiff in Error should now shew, pursuant to Notice given, that the Lands in Controversy, in this Cause are of the value of Three Hundred Pounds Sterling, or that the Writ of Error be quashed.

On Motion of Mr Sergeant for the Plaintiff in Error, Ordered that they have Time to shew Cause why the said Writ should not be quashed, till the fourth Day of February next.

Lord Stirling offered to the Board a Complaint in Writing against Samuel Ogden Esqr

Ordered That the said Complaint be entered upon the Minutes and that a Copy thereof be served upon the said Samuel Ogden that he may have an Opportunity of offering to the Board what he may have to say in his Defence or Justification.

Which Complaint is in the Words following viz^{t}

I now inform the Governor and Council That on the Eighth Day of July 1773, during the sitting of the Court of General Quarter Sessions of the Peace for the County of Morris and while the Grand Jury for the Body of the said County, were enquiring about certain Counterfeits of the Public Bills of Credit of this Colony, and of the Colonies of Pennsylvania and New York, and concerning the authors of the same, Samuel Ogden Esq^{r} as a Magistrate of Morris County, wrote a Letter dated at Morris Town, Signed by him the said Samuel, and directed to a Certain Josiah Hand at Hanover, and inclosing a Blank Warrant to him under the Hand & Seal of the said Samuel which Letter and Warrant are in the following Words, to wit (The Letter) "Morris Town July 8th 1773. Sir, The Grand Jury now "Sitting are desirous of your attending them at this place as "soon as possible, they having received information that some "Person whose Name is unknown to them hath informed you "of his having seen Instruments for the Counterfeiting of "Money in the Possession of a Person in your Neighbour-"hood I do therefore inclose a Blank Warrant and request "you to insert therein that Persons Name and deliver the "same to the bearer of this (a Constable) who hath got direc-"tions to serve it without delay. Your immediate Compli-"ance will much Oblige your Humble Servant. Sam^{l} Ogden. "P. S. You are requested to keep this matter a secret, and "not let even the Bearer know any thing of it. Myself and "M^{r} Skinner hope you will be at this place by Nine or Ten "of the Clock." [Superscribed thus] To M^{r} Josiah Hand, "Hanover" [the Warrant] Morris County. To any Con-"stable of the said County. These are in His Majesty's

"Name to Command you that you arrest the Body of ———
"——— and him bring forthwith before the Grand Inquest
"for the Body of the County of Morris now Sitting to answer
"to such Matters as shall then be required of him. Fail not.
"Given under my Hand and Seal this Eighth day of July
"1773. Sam[l] Ogden." And I do also inform this Board that the said Letter, inclosing the said Warrant, was with the said Warrant therein inclosed, delivered by the said Samuel Ogden's Order and direction to the said Josiah Hand, and the same being now in my Possession, I here offer to produce them, and I do for the Cause aforesaid Charge the said Samuel Ogden with a Misdemeanor in his Office as a Magistrate. 1st In trusting for Use a Blank Warrant concerning Criminal Matters to the discretion of a private Person 2ndly In so framing the said Warrant as to Command an Arrest of the Body of the person whose name was to be inserted in it, when from the warrant itself it appears such Person was only to be examined as a Witness. And move that he be called before this Board to answer the aforesaid accusation.

Perth Amboy
Jan[y] 24th 1775 } STIRLING.

At a Council held at Perth Amboy on the 30th Day of January 1775.

Present
His Excellency the Governor.

Peter Kemble Esq[r]	Daniel Coxe Esq[r]
James Parker Esq[r]	John Lawrence Esq[r]
The Chief Justice	Francis Hopkinson Esq[r]
Richard Stockton Esq[r]	

M[r] Stockton from the Committee appointed by the Board on the 16th instant to hear and enquire into the Proofs and Allegations of the Parties, relative to the Complaint of the Earl of Stirling against Samuel Ogden Esq[r] and make Report thereof to the Board, reported that the said Committee had

gone thro' the Business to them referred, and that he was ready to make Report thereof when the Board would be pleased to receive the same.

Ordered that the said Report be made immediately.

Whereupon M^r^ Stockton delivered in a Report in writing, together with the Affidavits and Papers therein referred to, which Report is in the Words following, viz^t^

We the Committee of the Privy Council appointed to hear and enquire into the Proofs and Allegations of the Earl of Stirling touching the Charges exhibited by him against Samuel Ogden Esq^r^ beg leave to Report that We have heard the Proofs and Allegations of both Parties touching the said Complaint which are contained in the several Affidavits herewith delivered, viz^t^ The Affidavits of John Carl, Cornelius Ludlow, Thomas Millidge, Samuel Tuthill, Samuel Haines, Bern Budd, Timothy Johnes, Benjamin Cooper, William De Hart, Abraham Kitchell, John Darby, Jonathan Cheeyers, Grace Ford, Ebenezer Tuthill, Daniel Freeman and Joseph Morris, marked N° 1 to N° 16, and the Affidavits of Peter MacKee, Daniel Cooper, Charles Hoff, Thomas Kinney, Abraham Ogden, and Cortland Skinner, marked a, b, c, d, e and f. Also an Affidavit of Jonathan Cheever taken before Samuel Ogden, and Samuel Tuthill Esq^rs^ the 30^th^ of July 1773 marked A and a Paper admitted by the said Parties to be a Copy of an Affidavit taken by Samuel Ogden before the Chief Justice, marked B. And the said Committee do further Report that the said Earl of Stirling refers to the Minutes of the Council respecting the Orders given to Coll. Ogden in September 1773, and also that the said Coll. Ogden appeals to the Knowledge and Recollection of the Governor and Council relative to the verbal Directions given to him by them touching the same.

All which is humbly submitted to the Board by the said Committee. Dated 30^th^ January A. D. 1775.

Rich^d^ Stockton Chairman.

Ordered that the Affidavits and Papers referred to in the said Report be filed.

His Excellency was pleased to Lay before the Board a Petition from Samuel Ogden Esq^{r} which is in the Words following, viz^{t}

To His Excellency William Franklin Esq^{r} Captain General, Governor and Commander in Chief in and over the Province of New Jersey, And to The Honourable His Majesty's Council.

The Petition of Samuel Ogden Humbly Sheweth

That the Evidence of both Parties on the hearing of the Charge of the Earl of Stirling against your Petitioner before a Committee of the said Council is now closed.

That the said Parties with the Concurrence of the said Committee have agreed that such parts of the Evidence aforesaid as may relate to the Charge of your Petitioner against the Earl of Stirling be admitted as Evidence on the hearing thereof.

That the said Charges Mutually explain each other and derive light from the same facts.

That your Petitioner has at great Expence brought Council to Amboy, and as he apprehends the hearing of his Complaint will take but very little Time, Your Petitioner most Humbly Prays that the Spirit of the late Order of Council of the 16th Day of November 1774 directing your Petitioners Complaint aforesaid to be heard the next day after that aforesaid made by Lord Stirling, may be carried into Execution and that your Excellency and Honors will be pleased to appoint such short Day for that purpose as to you shall seem meet. And Your Petitioner as in Duty Bound will ever Pray.

Perth Amboy
Jan^{ry} 30th 1775. } SAM^{ll} OGDEN.

And His Excellency was pleased to ask the Members of the said Committee whether they Remembered that the said Parties did agree in the presence of the said Committee that

such parts of the Evidence taken before them, as may relate to the Charge of the said Samuel Ogden against the said Earl of Stirling, should be admitted as Evidence on the hearing of the said Complaint: To which the Members of the said Committee now present severally answered that they did remember the said Agreement.

Ordered that the Consideration of the said Report and of the said Petition be deferred till the next Meeting of the Board.

At a Council held at Perth Amboy on the 31st Day of January 1775.

Present

His Excellency The Governor

Peter Kemble Esqr	Daniel Coxe Esqr
James Parker Esqr	John Lawrence Esqr
The Chief Justice	Francis Hopkinson Esqr
Richard Stockton Esqr	

The Board resumed the Consideration of the Charges brought by the Earl of Stirling against Samuel Ogden Esqr and, having duly examined and weighed the Evidences on both sides produced to the Board, are of Opinion that the said Charges are not in any wise supported But that, on the Contrary, the Conduct of the said Samuel Ogden in his Endeavours to discover the Persons concerned in the Counterfeiting the Bills of Credit of this Province, and other atrocious Villanies, appears to have been that of a vigilant and upright Magistrate: And they are further of Opinion that it is in a great measure owing to his Activity and Zeal for the Publick Good, that a Gang of Villains, very mischevious to this and the neighboring Provinces, have been detected and some of them brought to Justice. The Board do therefore think proper to give Mr Ogden the fullest Assurances of their Approbation of his Conduct as a good Magistrate.

Ordered, That either of the said Parties may have Copies of the Affidavits exhibited as Evidence in this Cause on Application to the Clerk for that Purpose.

At a Council held at Perth Amboy on the third Day of February 1775.

Present
His Excellency The Governor

Peter Kemble Esq^{r}	Stephen Skinner Esq^{r}
John Stevens Esq^{r}	Daniel Coxe Esq^{r}
James Parker Esq^{r}	John Lawrence Esq^{r}
The Chief Justice	Francis Hopkinson Esq^{r}
Richard Stockton Esq^{r}	

His Excellency was Pleased to Acquaint the Board that the Honb^{le} Samuel Smith Esq^{r} Treasurer of the Western Division of this Province, requested Leave to resign his said Office.

Whereupon the Council advised His Excellency to accept the said Resignation.

His Excellency was then pleased to nominate Joseph Smith Esq^{r} to be appointed Treasurer of the Western Division in the Room of the said Samuel Smith Esq^{r} to which the Council assented.

His Excellency was pleased to acquaint the Board that John Smyth Esq^{r} Treasurer of the Eastern Division of this Province had informed him, that he, the said Treasurer had entered into a Bond, pursuant to the Directions of the Act of Assembly passed in the 14th Year of His present Majesty's Reign intituled "An Act to Oblige the Treasurers of the "Colony of New Jersey to give security for the due Execu- "tion of their Offices, and to prescribe the Mode in which "the same security shall be taken" and that the said Bond was filed in the Secretary's Office. Whereupon His Excellency was pleased to Order the Secretary to lay the said Bond

before the Board, which being done and the said Bond being Read His Excellency was pleased to Order the Secretary to lay the same before the Council in their Legislative Capacity that they may consider of the Sufficiency of the Security so given by the said Bond.

His Excellency was pleased to lay before the Board a Petition of Johannes Light, and others in behalf of themselves and the Clergy of New Jersey in Communion of the Dutch reformed Church, Setting forth

That their Predecessors in Office have been among the first of the Clergy who have been instrumental in planting Christian Churches in this American Wilderness and that there are now in this and the two neighboring Provinces near two hundred Congregations of their Denomination which require a considerable Number of Gospel Ministers. That the Salaries of those Ministers, tho' they may supply their Daily Necessities, yet they by no Means afford them an opportunity to lay up a Support for their Relicts, That they esteem it their indespensible Duty by all lawful Ways and Means to provide for their Widows and Children lest they be left in Distress and become a Burthen to others. Wherefore and in imitation of the laudable and Christian Example of the Brethren the Clergy of the Church of England and the Presbyterians in this and the Neighbouring Provinces, The Petitioners humbly pray that a Royal Charter similar to those of their Brethren before mentioned may be granted them.

Which Petition having been read and considered, the Council Advised His Excellency to grant the Prayer thereof.

His Excellency was pleased to lay before the Board a Petition of the Minister, Elders, Deacons, and other Members of the reformed Protestant Congregation in the Township of Hillsborough in the County of Somerset Setting forth.

That their ancestors and Predecessors have made and Constituted a Society and Congregation for the Worshipping of God according to the Constitutions and Directions of the

Reformed protestant Dutch Churches in Holland approved and instituted by the National Synod of Dort. That the said Society have Purchased Lands and erected public Buildings for the Worship of God, and the use of the Minister, and have conducted and Regulated the said Society in a Peaceable and inoffensive manner. That they labour under many Difficulties in Managing and Conducting of the said Church for want of a Charter of Incorporation And therefore praying a Charter to incorporate the Petitioners with perpetual Succession for the better Managing of their Church.

Which Petition having been read and considered The Council advised His Excellency to grant the Prayer thereof.

His Excellency was pleased to lay before the Board a Petition of the Minister, Elders, Deacons, and other Members of the reformed Protestant Congregation of New Shannink in the Township of Hillsborough in the County of Somerset, Setting forth,

That they are Constituted a Society and Congregation for the Worshiping of God according to the Constitution and Directions of the reformed, Protestant Dutch Churches in Holland approved and instituted by the National Synod of Dort, and have purchased Lands and erected and Supported Public Buildings for the Worship of God, and the Use of their Minister, and have conducted and regulated the said Society in a peaceable and inoffensive manner. That they Labour under many Difficulties in Managing and Conducting of the said Church for want of a Charter of Incorporation. And therefore praying a Charter to incorporate the Petitioners with perpetual Succession for the better managing the said Church.

Which Petition having been read and Considered the Council advised His Excellency to grant the Prayer thereof.

At a Council held at Perth Amboy on the 4th Day of February 1775.

Present

His Excellency The Governor.

Peter Kemble Esq^{r}	Richard Stockton Esq^{r}
John Stevens Esq^{r}	Daniel Coxe Esq^{r}
James Parker Esq^{r}	John Lawrence Esq^{r}
The Chief Justice	Francis Hopkinson Esq^{r}

The Board referred the Consideration of the Complaint exhibited by Lord Stirling on the 26th Day of January last against Samuel Ogden Esq^{r} And a Certificate, Signed by the Attorney General, relative to the Facts charged in the said Complaint, was read and is in the Words following viz^{t}

"I do hereby Certify that on the last Day of the Term in "July 1773 at Morris, I was applied to by Coll Ogden, and "my Advice and Direction asked upon an Application made "to him by the Grand Jury, M^{r} Millidge, Foreman of the "Grand Jury, accompanying Coll Ogden. The Colonel in- "formed me that one M^{r} Hand knew the Name of a Wit- "ness who could give very material Evidence against Samuel "Ford,[1] that the Grand Jury wanted this Evidence immedi- "ately—that it being on the last Day of the Term, should "they send to Hand for the Name and then send away for "the Evidence too much Time would be lost and they might "perhaps be deprived of an Opportunity of getting the Evi- "dence, that the Grand Jury desired a Subpœna with a Blank "for the Name might be sent to Hand to fill up, and were "very urgent as they hoped to have full Evidence against "Ford. The Colonel doubting the Propriety of the Measure, "I told him that as it was not a Charge of Felony against "the Man, but in furtherance of Justice, he might lawfully "do it, and Hand bore the Charecter of an honest Man, that

[1] See N. J. Archives, X., 413–421.

"the Colonel should write to him and inclose the Warrant to "be filled up. The Colonel upon this drew a Mandatory "Subpœna, and a Letter to Hand which he shewed to me "and I approved of; a Constable was immediately sent off "with it, but, for what Reason I cannot say, the Evidence "was not procured, and, as I have been informed, the Blank "was not filled up. I can declare on Oath if required to the "foregoing Certificate, and that the Colonel would not Com- "ply with the Request of the Grand Jury until he had my "Advice and Direction which I readily for the Reasons "aforesaid gave him."

"February 1st 1775. Cort[d] Skinner"

And the Board having duly Considered the Matters Charged in the said Complaint together with the explanatory Circumstances Mentioned in the said Certificate, and finding that the Blank in the said Warrant or Subpœna was not filled up, nor the said Precept ever executed in any respect—that the Person to whom it was intrusted bore the Charecter of an honest Man that it was issued on a particular Emergency, at the Request of the Grand Jury, and by the Advice of the Attorney General, and intended Merely for the furtherance of Justice, Are of Opinion that, notwithstanding the Informality of the said Precept, the Conduct of the said Samuel Ogden Esq[r] on this Occasion does not by any Means deserve Censure or Reprehension.

The Board having taken into further Consideration the Complaint of Samuel Ogden Esq[r] against the Earl of Stirling exhibited on the 16th of November last, together with the Petition of the said Samuel Ogden Presented on the 30th of January, are of Opinion that the said Complaint being of a Private Nature, is more properly cognizable before a Court of Law, and do therefore dismiss the said Complaint, referring the Complaint to the Courts of Law for Redress.

His Excellency was pleased to Nominate George Trenchard and Isaac Harris to be Justices of the Peace in the County

of Salem (the said George Trenchard to be inserted in the Commission in the Place he was formerly in) to which the Council Assented.

At a Council held at Perth Amboy on the Sixth Day of February 1775.

Present

His Excellency The Governor

Peter Kemble Esq^{r}	The Chief Justice
John Stevens Esq^{r}	John Lawrence Esq.
James Parker Esq.	Francis Hopkinson Esq^{r}

His Excellency was pleased to Lay before the Board the Petition of John Cochran, Jonathan Odell and William Messenger Barnet in Behalf of themselves and sundry others Physicians and Surgeons of the Province of New Jersey, Praying a Charter of Incorporation to create them and sundry other persons, a Body Politic and Corporate, with Powers and Privileges as may be thought requisite for the more effectual Accomplishment of the salutary Purposes in the said Petition Mentioned, together with the Draught of a Charter for that Purpose, which were severally read.

The Council having taken the said Petition into Consideration and for some Time deliberated thereon.

Ordered that the further Consideration thereof be referred to some future meeting of the Board.

At a Council held at Perth Amboy on the Eighth Day of February 1775

Present

His Excellency the Governor

Peter Kemble Esq^{r}	The Chief Justice
David Ogden Esq^{r}	Richard Stockton Esq^{r}
The Earl of Stirling	Daniel Coxe Esq^{r}
John Stevens Esq^{r}	Francis Hopkinson Esq^{r}
James Parker Esq^{r}	

His Excellency was pleased to Nominate Jacob Brookfield to be a Justice of the Peace in the County of Essex, Thomas Eckley to be a Justice of the Peace in the County of Morris, John Cox to be a Justice of the Peace in the Counties of Burlington and Gloucester, Israel Shreeve to be a Justice of the Peace in the County of Gloucester, Thomas Skelton to be a Justice of the Peace in the County of Hunterdon, Jacob Bogart to be a Justice of the Peace in the County of Somerset, and Joseph Shippen to be a Justice of the Peace in the County of Sussex, to which several Nominations the Council Assented.

John Axford having been nominated in Council on the 14th Day of December last, to be a Justice of the Peace in the County of Sussex, and it now appearing to the Board that the said nomination was made by Mistake and that the Name of the said John Axford is not yet inserted in the Commission. It is ordered that the Name of the said John Axford be not inserted in the Commission

His Excellency was pleased to lay before the Board a parcel of Papers which he had received from Thomas Kinney Esqr High Sheriff of the County of Morris which Papers had been found in the Woods in Morris County near to the place where Samuel Ford's Printing Utensils were found. The said Papers being inspected were 36 Bills of the Denomination of 30/ Each and part of a Bill of 60/ of the Similitude of the Pennsylvania Bills of Credit, Supposed to be some of Samuel Ford's counterfeit Bills—Which Papers were Committed to the care of the Deputy Secretary to be Kept with the Types and Implements for Counterfeiting which were discovered in the Year 1773 and committed to his care for safe Custody.

The Board resumed the Consideration of the Complaint against Coll Ford, and having examined the several Certificates sent by the Foremen of three several Grand Juries of the County of Morris setting forth in Substance, that after full Examination of the Complaint against the said Coll Ford they had found nothing against him worthy of Indict-

ment or Presentment; yet, as some suspicions still remain respecting the Conduct of the said Coll Ford in the Matters which have been alledged against him—The Board in Order to give the Parties full Opportunity of further complaining and defending themselves according to the Course of the Law, do order that the said Coll Ford do shew cause on Saturday the Eighth Day of April next why His Excellency the Governor in Council should not order an Information to be filed against the said Coll Ford, for and on Account of the said matters complained of against him.

At a Council held at Perth Amboy on the Eleventh day of February 1775.

Present

His Excellency The Governor

Peter Kemble Esq^{r}	The Chief Justice
The Earl of Stirling	Richard Stockton Esq^{r}
John Stevens Esq^{r}	Daniel Coxe Esq^{r}

James Stanning & others
v
John Denn ex Dem of Cap^{t} John Anderson & others.
} In Error, sur Ejectment for Lands in Hunterdon

On motion of M^{r} Pettit for M^{r} Sergeant of Council for the Plaintiff's in Error, Ordered that the said Plaintiffs have further Time to shew Cause why the said Writ of Error should not be quashed until Saturday the Eighth Day of April next.

His Excellency was pleased to lay before the Board a Petition from sundry Persons, calling themselves Freeholders and Inhabitants of the County of Bergen, setting forth

That several of the said Petitioners have until lately resided under the jurisdiction of the Colony of New York, but by the

late Settlement of the Line are now within the Jurisdiction of this Colony, and others of them reside at the Northern Parts of the Precinct of Hackinsack and New Barbados, and that the said Precinct of New Barbados is now more than twenty-five miles in length. And therefore praying for a Patent to Erect the Northern parts of the said two Precincts of New Barbados and Hackinsack, into a separate Township by certain metes and Bounds therein mentioned.

His Excellency was also pleased to lay before the Board a Petition from sundry Persons calling themselves Freeholders and Inhabitants of the Precinct of Hackinsack in the County of Bergen, setting forth among other Things.

That the said Precinct of Hackinsack is one of the oldest Precincts in the County of Bergen—that it is now burthened with the Maintenance of sundry Poor Persons and that there are several Poor People now in the same likely to become Chargeable. That they are informed a Petition has been presented to His Excellency praying that a New Township may be erected in the Northern part of the said County which will include some of the most Wealthy Persons of the said Precinct of Hackinsack, and that if the Prayer thereof should be granted the Burthen of maintaining the Poor of the said Precinct of Hackinsack would rest on the present Petitioners; and the Inhabitants of the proposed New Township would have no Poor to maintain; and in general that to erect a New Township in the Manner proposed by the said recited Petition would be more Prejudicial to the remaining Inhabitants of the said Precinct of Hackinsack, than Beneficial to those who desire to have the said Township erected—And therefore praying that the said Precinct of Hackinsack may remain as it now is, or at least that the Petitioners may be heard on the Subject Matter of their Petition.

The Board having taken the said two Petitions into Consideration Ordered that the said Inhabitants of the Precinct of Hackinsack have leave to shew Cause on Saturday the Eighth Day of April next why the said proposed Township

should not be erected according to the prayer of the Petition for that Purpose.

His Excellency was pleased to sign sundry Warrants on the Treasury, as follow—viz[t]

N° 730	To Himself or Order for one Quarter's Salary due the 1[st] of January last	£300	0	0
731.	To the same for one Quarters House Rent due at the same Time	15	0	0
732.	To the Hon[ble] David Ogden Esq[r] one of the Justices of the Supreme Court, for one Quarter's Salary due at the same Time	37	10	0
733.	To the Hon[ble] Richard Stockton Esq[r] one of the Justices of the Supreme Court for one Quarter's Salary due at the same Time	37	10	0
734.	To the Hon[ble] Samuel Smith Esq[r] one of the Treasurers for one Quarter's Salary due at the same Time	10	0	0
735.	To John Smyth Esq[r] one of the Treasurers for one Quarter's Salary due at the same Time	10	0	0
736.	To Cortland Skinner Esq[r] Attorney General for one Quarter's Salary due at the same Time	10	0	0
737.	To Charles Pettit Esq[r] Deputy Clerk of the Council for one Quarter's Salary due at the same Time	7	10	0
738.	To Charles Pettit, for the use of Joseph Warrell Esq[r] Clerk of the Circuits for one Quarters Salary due at the same Time	5	0	0
739.	To Joseph Smith for the use of D[r] Benjamin Franklin Agent for this Colony, for one Quarter's Salary due at the same Time	25	0	0

740.	To John Carty Doorkeeper to the Council for one Qu^{rs} salary, due at the same Time.....	2 „ 10 „	0
741.	To the Chief Justice for holding the Circuit Courts in the Counties of Gloucester, Bergen and Essex in May, October and November last...	30 „ 0 „	0
742.	To the Hon^{ble} David Ogden Esq^{r} for holding the Circuit Courts in Somerset & Morris in October last.....	20 „ 0 „	0
743.	To the Hon^{ble} Richard Stockton Esq^{r} for holding the Circuit Courts in Hunterdon and Monmouth in May & October last.....	20 „ 0 „	0
744.	To the Hon^{ble} Stephen Skinner Esq^{r} late one of the Treasurers for exchanging £6646 „ 17 „ 0 of ragged and Torn Bills of Credit from the 14th of May 1770 to the 25th of Feb^{ry} 1774.....	166 „ 3 „	0
745.	To the same for his Commissions of 1 P. C^{t} for Cancelling the sum of £4420 „ 8 „ 6 since the year 1770...	44 „ 4 „	5
746.	To John Smyth Esq^{r} one of the Treasurers for his Salary from the 1st of October 1773 to the 28th of February 1774.....	16 „ 7 „	10
747.	To the Hon^{ble} Peter Kemble Esq^{r} for his Attendance at this Session of Assembly as one of His Majesty's Council 23 Days at 8/ P. Day.....	9 „ 4 „	0
748.	To the Hon^{ble} David Ogden Esq^{r} for 25 Days Attendance in like Manner..	10 „ 0 „	0
750.	To the Hon^{ble} Richard Stockton Esq^{r} for 33 Days Attendance in like Manner.....	13 „ 4 „	0

At a Council held at Perth Amboy on the thirteenth Day of February 1775.

Present.

His Excellency The Governor

The Earl of Stirling	Stephen Skinner Esq^{r}
John Stevens Esq^{r}	Daniel Coxe Esq^{r}
The Chief Justice	

His Excellency was pleased to sign sundry Warrants on the Treasury as follow viz^{t}

N^{o} 749.	To the R^{t} Hon^{ble} The Earl of Stirling for 33 Days Attendance at this Session as one of His Majesty's Council..	£13 „ 4 „ 0
751.	To the Hon^{ble} John Stevens Esq^{r} for 34 Days Attendance in like Manner	13 „ 12 „ 0
752.	To the Hon^{ble} James Parker Esq^{r} for 34 Days Attendance in like manner.....	13 „ 12 „ 0
753.	To the Hon^{ble} Frederick Smyth Esq^{r} for 34 Days Attendance in like manner	13 „ 12 „ 0
754.	To the Hon^{ble} Stephen Skinner Esq^{r} for 34 Days Attendance in like manner	13 „ 12 „ 0
755.	To the Hon^{ble} Daniel Coxe Esq^{r} for 40 Days Attendance in like manner.....	16 „ 0 „ 0
756.	To Charles Pettit for the use of the Hon^{ble} John Lawrence Esq^{r} for 35 Days Attendance in like manner....	14 „ 0 „ 0
757.	To the Hon^{ble} Francis Hopkinson Esq^{r} for 35 Days Attendance in like manner	14 „ 0 „ 0

758. To Edward Haswell Sergeant at Arms to the Council for 34 Days Attendance at this Session..... 5 „ 2 „ 0

759. To Jonathan Deare Esq[r] One of the Clerk's of the House of Assembly for 34 Days Attendance at this Session, at 10/ P. Day, and also Twelve Pounds for Extraordinary Services, 29 „ 0 „ 0

760. To Thomas Inglis, Sergeant at Arms to the House of Assembly for 34 Days Attendance at 3/ P Day..... 5 „ 2 „ 0

761. To Henry Richards, Doorkeeper to the House of Assembly for 34 Days Attendance at 3/6 P. Day..... 5 „ 19 „ 0

At a Council held at Perth Amboy on the 8[th] Day of April 1775.

Present
His Excellency The Governor

James Parker Esq[r]	Stephen Skinner Esq[r]
The Chief Justice	Daniel Coxe Esq[r]
Richard Stockton Esq[r]	Francis Hopkinson, Esq[r]

In Obedience to the Order of this Board made the 8[th] Day of February last, Coll Jacob Ford jun[r] appeared before the Board with his Council, to shew Cause why an Information should not be filed against him for and on Account of the Matters therein set forth. And having laid before the Board sundry Affidavits as well as the Certificates of four several Grand Juries of the Counties of Morris all tending to shew that after a full Enquiry into the several Facts charged against him the said Coll Jacob Ford, his Conduct and Charecter with Respect to the same Charges, stood fully and clearly acquitted, that nothing worthy of Indictment or Presentment did appear against him and that his Conduct touching the Premises had been much misrepresented: The Board

having fully deliberated thereupon are unanimously of Opinion that there is no Ground for an Information against the said Coll. Jacob Ford jun^{r} and that the above Order of the 8th of February last be discharged.

His Excellency was pleased to sign the following Warrants on the Treasury, viz^{t}

N° 762.	To Himself or Order for one Quarter's Salary due the 1st Day of April Instant	£300	0	0
763.	To the same for one Quarter's House Rent, due at the same Time	15	0	0
764.	To the Hon^{ble} David Ogden Esq^{r} one of the Justices of the Supreme Court for one Quarter's Salary	37	10	
765.	To the Hon^{ble} Richard Stockton Esq^{r} one of the Justices of the Supreme Court, for one Quarter's Salary	37	10	
766.	To John Smyth Esq^{r} one of the Treasurers for one Quarter's Salary,	10	0	0
767.	To the Hon^{ble} Samuel Smith Esq^{r} one of the Treasurers for one Quarter's Salary	10	0	0
768	To Cortland Skinner Esq^{r} Attorney General for one Quarter's Salary	10	0	0
769.	To Charles Pettit Esq^{r} Dep^{y} Clerk of the Council for one Quarter's Salary	7	10	
770	To Joseph Smith Esq^{r} for the Use of D^{r} Benjamin Franklin Agent for this Colony for one Q^{rs} Salary	25	0	0
771	To John Carty, Doorkeeper to the Council for one Quarter's Salary	2	10	
772	To John Smyth Esq^{r} one of the Treasurers for exchanging £1892 „ 18 „ 0 of ragged and torn Bills of Credit to May 1774 at 6^{d} per Pound	47	6	5

773. To the same for his Commissions of 1 P. Cent on cancelling £4237 „ 6 „ 0 being part of the sinking Fund for the Year 1771 as per Certificate of the Justices and Freeholders..... 42 „ 7 „ 4

774 To Charles Pettit for the Use of the Exec^rs of Joseph Warrell Esq^r late Clerk of the Circuits for his Salary from the 1^st of January to the 6^th of March last..... 3 „ 13 „ 4

775. To the Hon^ble David Ogden Esq^r for four Days Attend^e as one of His Majesty's Council at the last Session of Assembly which was omitted by Mistake out of the Warrant N° 748 issued 11^th February last..... 1 „ 12 „

His Excellency was pleased to nominate Anthony Broderick of Hardiston to be a Justice of the Peace in the County of Sussex, and Thomas Millidge to be a Justice of the Peace in the County of Morris, to which several Nominations the Council assented.

At a Council held at Perth Amboy on Friday the 28^th day of April 1775

Present

His Excellency the Governor

The Chief Justice
Stephen Skinner Esq^r
John Lawrence Esq^r

His Excellency was pleased to lay before the Board some Dispatches he had lately received from the Earl of Dartmouth, one of His Majesty's principal Secretaries of State, which having been read and considered, the Council were of

Opinion, that the said Dispatches contained Matters of great Importance to the Colony, and that, in the present Situation of Affairs, it would be highly proper to communicate the same to the General Assembly as speedily as possible, and therefore advised His Excellency to call a Meeting of the General Assembly at Burlington on the fifteenth Day of May next.

At a Council held at Burlington on the 15th Day of May 1775

Present
His Excellency the Governor

David Ogden Esq^{r}	Stephen Skinner Esq^{r}
John Stevens Esq^{r}	Daniel Coxe Esq^{r}
Samuel Smith Esq^{r}	John Lawrence Esq^{r}
James Parker Esq^{r}	Francis Hopkinson Esq^{r}

His Excellency was Pleased to sign the following warrants on the Treasury viz^{t}

N° 776.	To the Hon$\tilde{b}^{le}$ Samuel Smith Esq^{r} or Order £161 „ 0 „ 3 being 6^{d} per Pound on £6440 „ 11 „ 11¼ by him exchanged in the year ending 11th May 1774 & on the Ballance of £28 „ 0 „ 5¼ of the year before. Also £40 being one per Cent on £4000 of the sinking Fund in that Year—making together the sum of..	201 „	0 „	3
777	To the same £182 „ 12 „ 8 being 6^{d} in the Pound on the Sum of £7305 „ 8 „ 6 by him exchanged in the Year ending the 10th of May 1775. And £82 „ 13 „ 9 being one per Cent on £8268 „ 18 „ 3 of the sinking Fund; making together the Sum of.....	265 „	6 „	5

778. To Isaac Collins or Order, for printing for the Use of the Province, as per the Certificate of James Kinsey and Thos P. Hewlings Esqrs..... 111 „ 8 „ 4

At a Council held at Burlington on the 16th Day of May 1775.

Present
His Excellency The Governor

David Ogden Esqr	Richard Stockton Esqr
John Stevens Esqr	Stephen Skinner Esqr
Samuel Smith Esqr	Daniel Coxe Esqr
James Parker Esqr	John Lawrence Esqr
The Chief Justice	Francis Hopkinson Esqr

His Excellency was pleased to communicate to the Board His Majesty's gracious Allowance of two Acts of the Legislature of this Province passed in March 1774, intituled

"An Act for Striking One Hundred Thousand Pounds in "Bills of Credit, and directing the Mode for sinking the "same"

And

"An Act for the Relief of Abner Hetfield, an insolvent Debtor."

Also His Majesty's Royal Disallowance of one other Act of the Legislature of this Province, passed in March 1774 intituled.

"An Act for lowering the Interest of Money to six per Cent within this Colony."

Which had been signified to His Excellency by Copies of two several Orders of His Majesty in Council bearing Date the 20th day of February last, and transmitted by the Earl of Dartmouth, His Majesty's Principal Secretary of State for American Affairs.

Whereupon the Council advised His Excellency to publish

the same by Proclamation—And His Excellency was pleased to issue a Proclamation in the Words following viz^{t}

By His Excellency
William Franklin Esquire, Captain General, Governor and Commander in Chief in and over the Province of New Jersey and Territories thereon depending in America, Chancellor and Vice Admiral in the same &c.

A Proclamation

Whereas His Majesty by his Order in Council at St. James's bearing Date the 20th Day of February last past, hath been graciously pleased with the Advice of his Privy Council, to declare His Royall Approbation and Allowance of two several Acts of the Legislature of this Province, passed in March 1774, intituled as follow, viz^{t}

"An Act for Striking One Hundred Thousand Pounds in Bills of Credit, & directing the mode for sinking the same."

And

"An Act for the Relief of Abner Hetfield an Insolvent Debtor."

And whereas His Majesty, by one other Order in Council at S^{t} James's, bearing Date the said 20th Day of February last past, hath been pleased, with the Advice of his Privy Council, to declare his Royal Disallowance of a certain other Act of the Legislature of this Province, passed in March 1774, intituled,

"An Act for lowering the Interest of Money to six per "Cent within this Colony."

I have therefore thought fit, with the Advice of his Majesty's Council for this Province, to publish His Majesty's gracious Allowance and Affirmance of the said two Acts first above mentioned: and His Majesty's Royal Dissallowance and Repeal of the said Act last above mentioned, by Proclamation, to the End that all His Majesty's Subjects whom it may concern may take Notice thereof and govern themselves accordingly.

Given under my Hand and Seal at Arms in the City of Burlington the sixteenth Day of May in the fifteenth Year of His Majesty's Reign, and in the Year of our Lord one Thousand seven Hundred & seventy five.

By His Excellency's Command.

CHA^{s} PETTIT D Secr^{y} W^{m} FRANKLIN

God Save the King.

At a Council held at Burlington on the 18th Day of May 1775.

Present

His Excellency The Governor

David Ogden Esq^{r}	The Chief Justice
John Stevens Esq^{r}	Richard Stockton Esq^{r}
Samuel Smith Esq^{r}	Daniel Coxe Esq^{r}
James Parker Esq^{r}	Francis Hopkinson Esq^{r}

His Excellency was pleased to lay before the Board a Bond which had been executed in his Presence by Joseph Smith, Richard Smith and Abel James, for the Payment of Ten Thousand Pounds Proclamation Money with Condition that the said Joseph Smith shall well and faithfully execute the Office of Treasurer of the Western Division of this Colony, according to the Directions of an Act of the Legislature of this Colony, passed in the fourteenth Year of His present Majesty's Reign.

Which Bond, having been read, was delivered to the Deputy Secretary, and ordered to be filed in the Secretary's Office.

At a Council held at Burlington the 20th Day of May 1775.

Present

[as before]

His Excellency was pleased to lay before the Board, a Receipt Signed by Joseph Smith Esq^{r} the present Treasurer of the Western Division in the Words and figures following viz^{t}

"List of Money remaining in the Treasury

"In new Money, chiefly unsigned by the Treasurer	£3462	14	0
"In Dollars and small Peices of Silver	276	2	6
"192 Half Johannes	576	0	0
"A Bag of Gold, an Inv° in it	200	11	0
"A Bag of Pens[a] Maryland, & N. Castle Money	1651	7	2
	£6166	14	8

"Received this 18th Day of May Anno Domini One "Thousand seven Hundred and seventy five of Samuel Smith "Esq[r] Six Thousand one Hundred and sixty six Pounds "fourteen Shillings and eight Pence being the Ballance due "to the Colony of New Jersey as settled & signed by the "Committees of the Council and Assembly dated this Day, "And reported the same Day to the Council and Assembly "and agreed to by both Houses, Received also the Books "belonging to the Colony, some Instruments for "making "Money a Bond from the Proprietors of East Jersey men- "tioned for the Payment of seven Hundred Pounds, on "which six Hundred Pounds is Credited together with "some Votes and Laws."

Which Receipt having been read and considered and it appearing to the Board that the Council in their Legislative Capacity and the House of Assembly have severally agreed to & approved of the Security given by the present Treasurer, the Council advised his Excellency to Order the Deputy Secretary to deliver up the Bond given by Samuel Smith Esq[r] as late Treasurer, to be cancelled, which was done accordingly.

His Excellency was pleased to nominate Robert Price to be a Justice of the Peace in the County of Sussex, to which the Council assented.

A true Copy of the Minutes of the Privy Council of New Jersey, from the 12th Day of January to the 20th Day of May 1775.

CHA^{s} PETTIT D Clerk
of the Council.

A Journal of the Votes and Proceedings of His Majesty's Council for the Province of New Jersey At a Session of the General Assembly of
[L. S.] the said Province, begun and holden at the City of Burlington on Monday the fifteenth Day of May in the fifteenth Year of the Reign of our sovereign Lord, King George the third, Annoque Domini 1775

Monday May 15th 1775. The House met.

Present

David Ogden Esq^{r}	Richard Stockton Esq^{r}
John Stevens Esq^{r}	Stephen Skinner Esq^{r}
Samuel Smith Esq^{r}	Daniel Coxe Esq^{r}
James Parker Esq^{r}	John Lawrence Esq^{r}
	Francis Hopkinson Esq^{r}

The Speaker laid before the House a Letter from John Smith Esq^{r} directed "To the Hon^{ble} the Speaker of His Majesty's Council of the Province of New Jersey at Burlington" which Letter is in the words following viz^{t}

"Sir,

"Last Wednesday I attended the Justices & Freeholders "of the County of Middlesex with £9598 „ 3 „ 0, which I "informed them was Money I had prepared to be sunk agree- "able to the Act of Assembly, and tendered it to them with "a Request that they would sink it accordingly. But there

"were neither Justices or Freeholders sufficient to make a "Board, and I have good Reason to think they absented "themselves with a View that the Money should not be "sunk.

"As this Money is still in my Hands, and I am apprehen- "sive will be taken from me, I wish the Legislature would "interfere in such Manner so as to secure the Province as "well as myself, either by a Law for the immediate cancelling "and burning of it, or any other Way, they in their Wisdom "may think most expedient.

"I thought it my Duty to acquaint you of this Matter and "beg you will be pleased to communicate it to the Hon^{ble} "Council.

"I am your and their obedient, hum Servant

Perth Amboy } JOHN SMITH, Treasurer
May 13, 1775. } of East Jersey"

The House continued till Tomorrow.

Tuesday May 16th 1775. The House met.

Present

David Ogden Esq^{r}	Richard Stockton Esq^{r}
John Stevens Esq^{r}	Stephen Skinner Esq^{r}
Samuel Smith Esq^{r}	Daniel Coxe Esq^{r}
James Parker Esq^{r}	John Lawrence Esq^{r}
	Francis Hopkinson Esq^{r}

His Excellency came into the Council Chamber and having, by the Deputy Secretary, commanded the Attendance of the House of Assembly, the Speaker with the House attended, when His Excellency was pleased to make a Speech to both Houses in the words following viz^{t}

Gentlemen of the Council, Gentlemen of the Assembly,

The sole Occasion of my calling you together, at this Time is to lay before you a Resolution of the House of Commons,

wisely and humanely calculated to open a Door for the Restoration of that Harmony between *Great-Britain* and her *American* Colonies on which their mutual Welfare and Happiness so greatly depend.

This Resolution having already appeared in the publick Papers, and a great Variety of Interpretations put upon it, mostly according to the different Views and Dispositions by which Men are actuated, and scarcely any having seen it in it's proper Light, I think I cannot, at this critical Juncture, better answer the gracious Purposes of His Majesty, nor do my Country more essential Service, than to lay before you as full an Explanation of the Occasion, Purport, and Intent of it as is in my Power. By this Means you, and the good People you represent, will be enabled to judge for yourselves how far you ought or ought not to acquiesce with the Plan it contains, and what Steps it will be prudent for you to take on this very important Occasion.

You will see in the King's Answer to the joint Address of both Houses of Parliament on the 7th of *February*, how much Attention His Majesty was graciously pleased to give to the Assurance held out in that Address, of the Readiness of Parliament to afford every just and reasonable Indulgence to the Colonies; whenever they should make a proper Application on the Ground of any real Grievance they might have to complain of. This Address was accordingly soon after followed by the Resolution of the House of Commons now laid before you. A Circumstance which afforded His Majesty great Satisfaction as it gave Room to hope for a happy Effect, and would, at all Events, ever remain an Evidence of their Justice and Moderation, and manifest the Temper which has accompanied their Deliberations upon that Question which has been the Source of so much Disquiet to the King's Subjects in *America*.

His Majesty, ardently wishing to see a Reconciliation of the unhappy Differences by every Means thro' which it may be obtained, without Prejudice to the just Authority of Parliament, which His Majesty will never suffer to be violated,

has approved the Resolution of his faithful Commons, and has commanded it to be transmitted to the Governors of his Colonies, not doubting that this happy Disposition, to comply with every just and reasonable Wish of the King's Subjects in America, will meet with such a Return of Duty and Affection on their Part, as will lead to a happy Issue of the present Dispute, and to a Re-establishment of the publick Tranquility on those Grounds of Equity, Justice and Moderation which this Resolution holds forth.

What has given the King the greater Satisfaction in this Resolution, and the greater Confidence in the good Effects of it, is his having seen that, amidst all the Intemperance into which a People, jealous of their Liberties, have been unfortunately misled, they have nevertheless avowed the *Justice*, the *Equity*, and the *Propriety* of Subjects of the same State contributing, according to their *Abilities* and *Situation*, to the *publick Burdens*, and this Resolution it is thought holds no Proposition beyond that.

It would probably be deemed unjust to suppose that any of the King's Subjects in the Colonies can have so far forgot the Benefits they have received from the Parent State as not to acknowledge that it is to her Support, held forth at the Expence of her Blood and Treasure, that they principally owe that Security which hath raised them to their present State of Opulence and Importance. In this Situation, therefore, Justice requires that they should, in Return, contribute according to their respective Abilities to the *Common Defence;* and their own Welfare and Interest demand that their *Civil Establishment* should be supported with a becoming Dignity.

It has been the Care, and it is the firm Determination of Parliament, to see that both these Ends are answered, and their Wisdom and Moderation have suggested the Propriety of leaving to each Colony to judge of the *Ways* and *Means* of making due Provision for these Purposes, reserving to themselves a discretionary Power of approving or disapproving what shall be offered.

The Resolution neither points out what the *Civil Establish-*

ment should be, nor demands any *specific Sum* in Aid of the *publick Burdens.* In both these Respects it leaves full scope for that Justice and Liberality which may be expected from Colonies, that, under all their Prejudices have never been wanting in Expressions of an Affectionate Attachment to the Mother Country, and a zealous Regard for the general Welfare of the *British* Empire, and therefore the King trusts that the Provision they will engage to make for the Support of *Civil Government* will be adequate to the Rank and Station of every necessary Officer, and that the Sum to be given in Contribution to the *Common Defence* will be offered on such Terms, and proposed in such a Way, as to *increase* or *diminish* according as the publick Burdens of Great-Britain are from Time to Time *augmented* or *reduced,* in so far as those Burdens consist of Taxes and Duties which are NOT a Security for the *National Debt.*

By such a Mode of Contribution the Colonies will have full Security that they can never be required to tax themselves without Parliament's taxing the Subjects in *Great Britain* in *a far Greater Proportion,* and it may be relied upon that any Proposition of this Nature made by any of the Colonies, and accompanied with such a State of their Faculties and Ability as may evince the Equity of the Proposal, will be received with *every Possible* Indulgence; provided it be at the same Time unaccompanied with any *Declarations,* and unmixed with any *Claims* which will make it impossible for the King, consistently with his own Dignity, or for Parliament, consistently with their Constitutional Rights, to receive it. But it is not supposed that any of the Colonies will, after this Example of the Temper and Moderation of Parliament, adopt such a Conduct; on the contrary, the pleasing Hope is cherished that the Public Peace will be restored, and that the Colonies will enter into the Consideration of the Resolution of the House of Commons with that Calmness and Deliberation which the Importance of it demands, and with that Good-will and Inclination to a Reconciliation which are due to the Candour and Justice with

which Parliament has taken up this Business and at once declared to the Colonies what will be ultimately expected from them.

It has been already observed, that the King entirely approves the Resolution of the House of Commons, and I have His Majesty's Commands to say, that a Compliance therewith by the General Assembly of *New Jersey* will be most graciously considered by His Majesty, not only as a Testimony of their Reverence for Parliament, but also as a Mark of their Duty and Attachment to their Sovereign, who has no Object nearer to his Heart than the Peace and Prosperity of his Subjects in every Part of his Dominions. At the same Time, I must tell you, His Majesty considers himself as bound by every Tie to Exert those Means the Constitution has placed in his Hands, for preserving that Constitution entire, and to resist with Firmness every Attempt to violate the Rights of Parliament, to distress and obstruct the lawful Commerce of his Subjects, or to encourage in the Colonies Ideas of Independence inconsistent with their Connexion with *Great-Britain.*

Here, Gentlemen, you have a full and candid State of the Disposition and Expectations of His Majesty and the Parliament. They require nothing of *America* but what the Colonies have repeatedly professed themselves ready and willing to perform. A late Assembly of this Province in their Petition to the King in 1766 express themselves thus, "As "no Danger can approach *Britain*, without giving us the "most sensible Alarm, so your Majesty may be assured, that "with filial Duty we shall ever be ready to afford all the As- "sistance in our Power, and stand or fall with that King- "dom, from which we boast our Descent, and to which we "are attached by the strongest Ties of Duty, Gratitude and "Affection" And in a subsequent Petition they say, "*Very* "*far* it is from our Intentions to deny our *Subordination* to "that august Body [the Parliament] or our *Dependance* on "the Kingdom of *Great-Britain:* In these Connexions, and "in the Settlement of our Liberties, under the auspicious

"Influence of your Royal House, we know our Happiness "consists: and therefore to confirm those Connexions, and to "strengthen this Settlement, is at once our Interest, Duty "and Delight."

Similar Declarations have been repeatedly made in other Colonies. The following Vote was passed in the Assembly of *Pennsylvania* many Years ago, *to wit*, "The House taking "into Consideration the *many Taxes* their Fellow Subjects in "*Great-Britain* are obliged to pay towards supporting the "Dignity of the Crown, and defraying the *necessary* and "*Contingent Charges* of Government, and *willing* to demon- "strate the Fidelity, Loyalty and Affection of the Inhabitants "of this Province to our gracious Sovereign, by *bearing a* "*Share of the Burden of our Fellow Subjects, proportionable* "*to our Circumstances*, do, therefore, cheerfully and unani- "mously resolve, That *Three Thousand Pounds* be paid for "the Use of the King, his Heirs and Successors, to be applied "to such Uses as he, in his Royal Wisdom, shall think fit to "direct and appoint." And the said 3000 Pounds was afterwards paid into His Majesty's Exchequer by the Agent of the Province accordingly.

Nor can I avoid mentioning what was done in the Convention of Committees from every County in *Pennsylvania*, who met in *July* last for the express Purpose of giving Instructions to their Representatives in Assembly on this very Subject. Several of these Instructions manifest such a Candor and Liberality of Sentiment, such just Ideas of the Importance of our Connexion with *Great Britain*, and point out so rational a Method to be pursued for obtaining Redress for the supposed grievances (previous to any Attempts to distress the Trade of that Kingdom) that it is greatly to be regretted that the Conduct of *America* in a Matter of such vast Importance to its future Welfare, had not been regulated by the Principles and Advice they suggested. In those Instructions, speaking of the Powers Parliament had claimed and lately exercised, the Convention say, "We are thoroughly convinced

"they will prove unfailing and plentiful Sources of Dissen-
"tions to our Mother Country and these Colonies, unless *some*
"*Expedients* can be adopted to render her *secure* of receiving
"from us every Emolument that can in Justice and Reason
"be expected, and us secure in our Lives, Properties, and an
"equitable Share of Commerce. Mournfully revolving in
"our Minds the *Calamities*, that, arising from the *Dissentions*,
"will *most probably* fall on us and our Children, we will now
"lay before you the *particular Points* we request of you to
"procure, if possible, to be finally decided; and the *Measures*
"that appear to us *most likely* to produce such a desirable
"Period of our Distresses and Dangers." Then, after enumerating the particular Acts of Parliament which they consider as Grievances, and desire to have repealed, they add, "In case of obtaining these Terms, it is our Opinion, that it "will be reasonable for the Colonies to engage their Obedience "to the Acts of Parliament, commonly called the Acts of "Navigation, and to every other Act of Parliament declared "to have Force, at this Time, in these Colonies, other than "those above-mentioned, and to confirm such Statutes by "Acts of the several Assemblies. It is also our Opinion, "that taking Example from our Mother Country in abolish-
"ing the *Courts of Wards and Liveries, Tenures in Capite,*
"*and by Knight's Service and Purveyance,* it will be reason-
"able for the Colonies, in case of obtaining the Terms before
"mentioned to *settle a certain annual Revenue* on His Majesty,
"his Heirs and Successors, *subject to the Controul of Parlia-*
"*ment,* and to *satisfy all Damages* done to the *East-India*
"Company. This our Idea of settling a Revenue, arises
"from a Sense of *Duty* to our Sovereign and of *Esteem* for
"our Mother Country." We *Know* and have *felt* the *Benefits*
"of a *subordinate Connexion* with her. We neither are so
"*stupid* as to be *ignorant* of them, nor so *unjust* as to *deny*
"them. We have also experienced the Pleasures of *Grati-*
"*tude* and *Love* as well as *Advantages* from that Connexion.
"The Impressions are not yet erased. We consider her

"*Circumstances* with *tender Concern*. We have not been "wanting, when constitutionally called upon, to assist her to "the utmost of our Abilities; insomuch that she has judged "it reasonable to make us Recompences for our overstrained "Exertions: And we now think we *ought to contribute* "more than we do *to the Alleviation of her Burdens*. What- "ever may be said of these Proposals on either Side of the "Atlantic, this is not a Time either for *Timidity* or *Rashness*. "We perfectly know that the great Cause now agitated, is to "be conducted to a happy Conclusion, only by that well "tempered Composition of Counsels, which Firmness, Pru- "dence, Loyalty to our Sovereign, Respect to our Parent "State, and Affection to our Native Country, united must "form."—In Case of War, or in any Emergency of Distress, "we shall also be ready and willing to contribute all Aids "within our Power. And we *solemnly declare*, that on such "Occasions, if *we* or *our Posterity* shall *refuse*, *neglect* or "*decline* thus to *contribute*, it will be a *mean* and *manifest* "*Violation* of a *plain duty*, and a weak and wicked *Desertion* "of the *true* Interests of this Province, which *ever have been* "and *must be* bound up in the *Prosperity* of our Mother "Country. Our Union, founded on *mutual Compacts* and "*mutual Benefits*, will be indissoluble, at least more firm than "an Union perpetually disturbed by disputed Rights and "retorted Injuries." I could quote several more Passages from these Instructions which are expressive of the same honest and generous Sentiments with Regard to *Great-Britain*, but I shall only make one more Extract, and that respecting the *Mode* which they recommended to be pursued for the Redress of Grievances, viz. "But other Considera- "tions have Weight with us. We weigh every Mark of "Respect to be paid to His Majesty's Administration. We "have been taught from our Youth to entertain tender and "brotherly Affections for our Fellow Subjects at Home. "The Interruption of our Commerce must *greatly distress* "great Numbers of them. This we *earnestly desire to avoid*.

"We therefore *request*, that the Deputies you shall appoint "may be instructed to exert themselves at the Congress, to "induce the Members of it to consent to make a full and "precise State of Grievances, and a decent, yet firm Claim of "Redress, and to wait the Event, before any other Step is "taken. It is our opinion that Persons should be appointed "and *sent Home* to present this State and Claim at the Court "of *Great-Britain.*" After mentioning their Confidence in the intended general Congress, and their Resolution to abide by their Determinations for the Sake of Unanimity, they declare that it is with a strong "*Hope* and *Trust* that they "will not *draw this Province* into any Measure judged by us, "who must be better acquainted with its State than Strangers, "*highly inexpedient.* Of *this Kind*, we *know* any other "Stoppage of Trade, but of that with *Great-Britain*, will be. "Even *this Step*, we should be *extremely afflicted* to see taken "by the Congress *before* the *other Mode* above pointed out is "tried."

Happy would it have been at this Day, in all Probability, if some such healing Measures had been pursued. Some Plan of Union or Proposal of "a mutual Compact" for "mutual Benefit" was the grand Object which every honest Man in the Colonies had at Heart. An imperfect one (if not too glaringly so) was better than none, as it would, if it had answered no other Purpose, have laid a Foundation for Negotiation and Treaty. It has been lately observed in Parliament, "That it does not appear the Colonies were "seriously inclined to come into any reasonable Terms of "Accommodation, as nobody was authorized to make any "Proposals to that Effect."

However, it can be of little Avail now to animadvert on past Transactions. Who has been most in the right or most in the wrong can never be satisfactorily decided. Many Things will ever happen, in the Course of a long continued Dispute, which good Men of both Parties must reflect on with Pain, and wish to have buried in Oblivion. In the

present Situation of Affairs we should only look forward, and endeavour to fall on some Expedient that may avert the impending Danger. To effect this desirable Purpose a Plan is now formed, and recommended to you by His Majesty, containing Terms greatly corresponding with the avowed Sentiments of many of the Colonies, and which, I think, can only want to be rightly understood in order to be generally adopted: In does not require from the People of this Country any formal Acknowledgment of the Right of Taxation in the Parliament. It waves all Dispute on that Head, and suspends the Exercise of it for ever, if so long the Colonies shall perform their Part of the Compact. It does not even require, as a Preliminary, that the Non-Importation and Non-Exportation Agreements shall be abolished. It comes before you in the old accustomed Manner, by Way of Requisition, being approved and adopted by the King, who has directed his several Governors to signify to the respective Assemblies his Desire that they should grant such Aids for the Common Defence, and the Support of Government within the Colonies, as shall appear to them just and equitable, and proportionate to their Abilities. His Majesty and the Parliament, 'tis true, are to judge whether the Aids which each Colony may offer are worth Acceptance, or adequate to their respective Abilities, as they did during the Course of the last War, very much to the Satisfaction of those Colonies who exerted themselves, often making them a Compensation "according as their active Vigour and strenu-"ous Efforts respectively appeared to merit." The Necessity of some such Supreme Judge is evident from the very Nature of the Case, as otherwise some Colonies might not contribute their due Proportion. During the last War, I well remember, it was ardently wished by some of the Colonies that others, who were thought to be delinquent, might be compelled by Act of Parliament to bear an equal Share of the publick Burdens. It appears by the Minutes of Assembly, in *March* and *April* 1758, that some of the neigh-

bouring Colonies thought *New-Jersey* had not at that Time contributed its due Share towards the Expences of the War, and that President *Reading* (the then Commander in Chief of the Colony) was of the same opinion. And since my Administration, when the Assembly in 1764 was called upon to make Provision for raising some Troops on Account of the *Indian* War, they declined doing it for some Time, but "on Condition a Majority of the Eastern Colonies, as far as to include *Massachusett's-Bay*, should come into His Majesty's Requisition on the Occasion." But, as none of the Assemblies of the *New-England* Governments thought themselves nearly concerned, nothing was granted by them; and the whole Burden of the Expeditions then carried on fell upon *Great-Britain* and three or four of the middle Colonies; with which this Colony was dissatisfied, and the Assembly complained of it in one of their Addresses to me on the Occasion.—But what fully Evinces that there is no Design of Oppression or Extortion in the proposed Reservation in His Majesty and his Parliament of the Right of approving the Aids which may be offered by the Colonies, is, His Majesty's gracious Assurance that the Propositions on this Head will be received with *every possible* Indulgence.—The Monies raised by the several Colonies as their Proportion to the *common Defence* is made subject to the Disposal of Parliament, as in Justice it ought, as they furnish the *whole* Sum which may be wanted for that necessary Purpose, according to the Estimates annually laid before them by the Crown, besides making Provision for the Civil List and National Debt, towards which the Colonies are not asked to contribute. The Army and Navy Establishment it is well known is necessarily increased since the Extension of the *British* Dominions in *America*. The whole *American* Civil and Military Establishment, as paid by *Great-Britain*, after the Peace of *Aix la Chapelle* was, it is said, only £70,000 Sterling; but since the last Peace it amounts to upwards of £350,000. As this great additional Expence was chiefly

incurred on an *American* Account, it cannot but be reasonable that *America* should pay some Part of it. To remove every Objection that other Taxes may be raised upon *America*, under the Colour of Regulations on Commerce, the Produce of all such Duties is to be carried to the Account of that Province where it is to be levied.

We have now, thank Heaven, a happy Opportunity of getting entirely rid of this unnatural Contest, by only complying with what, I think, has been fully proved and acknowledged to be our indispensable Duty. Wherever a People enjoy Protection, and the other common Benefits of the State, nothing can be more reasonable than that they should bear their Share of the common Burden.

It is much to be lamented that there is so much Truth in the Observation, That Mankind generally act not according to Right, but according to present Interest, and most according to present Passion. In the present Case, there are no Difficulties but what may be easily surmounted, if Men come together sincerely disposed to serve their Country, unbiased by any sinister Views or improper Resentments. This, Gentlemen, I trust, will be found to be your Disposition in this most alarming Situation of publick Affairs. Let me conjure you, however, not to come to any precipitate Resolutions respecting the Plan of Accommodation now communicated to you. I have no Objection to give you any Time you may think necessary for the due Consideration of it. It is, indeed, a Concern of a more interesting Nature than ever before came under the Consideration of an *American* Assembly. If it is adopted, all will yet be well. If it is totally rejected, or nothing similar to it proposed, or made the Basis of a Negotiation, it will necessarily induce a Belief of what has been lately so often mentioned in Publick, "That it is not a Dispute about "Modes of Taxation—but that the *Americans* have deeper "Views, and mean to throw off all Dependence upon *Great* "*Britain*, and to get rid of every Controul of their Legis- "lature." Should such Sentiments ever prevail, they cannot

but have the most fatal Effects to this Country. I am, however, fully convinced that the Body of the People in the Colonies do not even entertain a Wish of the Kind. Rather than lose the Protection of *Great-Britain*, *America*, were it ever so constitutionally and allowedly independent, would find it for its Advantage to purchase that Protection at an Expence far beyond what *Great-Britain* would ever think of requiring while we show her that Regard and Obedience to which she is justly entitled, and which our own Interest and Safety should prompt us to shew if there were no other Considerations.

Taxation being the principal Source of the present Disorders, when that important Point is once settled, Every other Subject of Complaint which has grown out of it will, no doubt, of course, be removed. For you may rely, Gentlemen, that notwithstanding the many inimical and oppressive Designs which the Jealousies and Suspicions of incensed People have attributed to Government, yet it is evident from the whole Tenor of the Letters from which I have had the Honour to receive from the King's Ministers that his Majesty and They have nothing more at Heart than to have these unhappy Differences accommodated on some just and honourable Plan, which shall at the same Time Secure the Liberties of the People without lessening the necessary Power and Dignity of Parliament.

God grant that the Colonies may manifest the same laudable Disposition, and that a hearty Reconciliation and Harmony may take the Place of the present Confusion and Dissention

Wm Franklin.

Council Chamber May 16, 1775.

The House continued till Tomorrow.

Wednesday May 17th 1775, The House met

Present—as before

The House continued till Tomorrow

Thursday May 18th 1775 The House met

Present—as before

A Message from the House of Assembly by Mr Dey and Mr Taylor in the words following vizt

"House of Assembly May 17, 1775

"Ordered, That Mr Tucker, Mr Sykes, Mr Demarest, Mr "Gibbon, Mr Sheppard and Mr Dunham or any four of them "be a Committee to join a Committee of the Council to settle "the Western Treasurer's Accounts and burn the cancelled "Money in his Hands, and that Mr Dey and Mr Taylor do "acquaint the Council thereof, and desire them to appoint a "Committee accordingly together with the Time and Place "of Meeting"

This House having taken the said Message into Consideration

Ordered, That Mr Parker, Mr Stevens and Mr Hopkinson be a Committee to join with a Committee of the House of Assembly to settle the Western Treasurer's Accounts and burn the cancelled Money in his Hands and make Report to the House—that the said Committees do meet for that Purpose at ten of the Clock this Forenoon at the said Treasurer's House.

Ordered, That Mr Lawrence do acquaint the House of Assembly therewith.

Mr Lawrence reported that he had obeyed the Order of the House.

The House continued till 3 o'Clock P. M.

The House met pursuant to adjournment

Present—as before

Mr Stevens, from the Committee appointed to join with a Committee of the House of Assembly to settle the Western Treasurer's Accounts and burn the cancelled Money in his Hands reported that the said Committees had met according to Order, and settled the said Western Treasurer's Accounts and burned the cancelled Money in his Hands, and that he was ready to make Report thereof whenever the House would be pleased to receive the same.

Ordered That the said Report be made immediately

Whereupon Mr Stevens read the said Accounts in his Place and delivered them in at the Table.

And the said Accounts being again read were agreed to by the House.

Ordered That the said Accounts be inserted in the Journals of this House

And they are as follow

Dr Samuel Smith Esqre Acct for Support of Government Cr

1773				By the Act of Assembly suspending the Payment of the Tax for Cape May County, which should have been paid Novr 1773.....	58,, 9,, 0	
Decr 1	To Ballance of last Acct settled & reported to the Council and Assembly this Day.....	1079,, 19,, 11		By sundry Vouchers from No 1, to No 96 inclusive, all examined, allowed & indorsed the 18th May 1775.....	4911,, 7,, 10¼	
	To the Taxes of the following Counties for the Support of Government payable into the Treasury 21 Novr 1773, being the Remr of the Taxes for the Support of Government that Year—Vizt					
	Sussex County..207,, 13,, 0					
	Cape May..... 58,, 9,,–					
		266,, 2,,–				

	2 To Cash of Wilson Hunt on Account of the Ballance due from him to the Province.....	68,,18,,4	
1774 Decr	To the Taxes for the Support of Government payable into the Treasury Decr 21, 1774, vizt		
	Burlington..... 375,,1,,0		
	Gloucester..... 267,,1,,0		
	Salem 237,,17,,0		
	Cumberland... 134,,17,,0		
	Cape May..... 58,,9,,0		
	Hunterdon.... 477,,7,,0		
	Sussex 207,,13,,0	1758,,5,,0	
Novr 21	To Cash of Daniel Hand, late Collector of Cape May, being a Moiety of the Tax for Support of Government of that County which should have been paid 21 Novr 1773, but suspended by Act of Assembly to this Day.....	29,,4,,6	
	To Ballc card to genl Acct..	1767,,7,,1¼	
		£1969,,16,,10¼	£4969,,16,,10¼

Burlington May 18th 1775
Errors Excepted
By Order of the Committees
Jn° Stevens
Samˡ Tucker

Dr Samuel Smith Esqr Account of the Sinking Fund Cr

1773 Nov	To the Sinking Fund Tax directed to be raised this Year, vizt		1773 Decr 1	By Ballance reported to the Council & Assembly Decr 1, 1773.....	28,,—,,5¼
	Burlington... 1339,,11,,0			By the Act of Assembly suspending Payment of the Tax for Cape May County wch should have been paid Novr 1773.....	208,,13,,0
	Gloucester..... 953,,18,,0				
	Salem..... 849,,10,,0				
	Cumberland... 481,,13,,0				
	Cape May..... 208,,13,,0				
	Hunterdon..... 1704,,16,,0				
	Sussex..... 741,,12,,0	6279,,13,,0			

24 Decr	To the sinking Fund Tax directed to be raised this Year Vizt			1774 May 11. By Part of the Justices & Freeholders' Certificates of Money cancelled this Day, the Remainder credited in the Acct for exchanging ragged and torn Bills, & the whole burned by the Committees May 18 1775.....	4000,, 0,, 0
	Burlington.... 1607,, 10,, 0				
	Gloucester..... 1144,, 14,, 0				
	Salem 1019,, 8,, 0				
	Cumberland... 578,, 0,, 0				
	Cape May..... 250,, 7,, 0				
	Hunterdon,... 2045,, 15,, 0				
	Sussex 889,, 18,, 0				
		7535,, 12,, 0		1775.	
Nov 25	To Cash of Danl Hand late Collector of Cape May being a Moiety of the Cape May Tax wch should have been paid 21 Novr 1773, but suspended to this Day by Act of Assembly...	104,, 6,, 6		May 10 By the Justices and Freeholders Certificate of Money cancelled this Day, and burned by the Committees May 18, 1775.....	8268,, 18,, 3
				Ballance carried to General Account..	1413,, 19,, 9¾
		£13919,, 11,, 6			£13919,, 11,, 6

Burlington May 18, 1775
Errors Excepted
By Order of the Committees
Jn° Stevens
Sam[l] Tucker

D[r] Samuel Smith Esq[r] C[r]

Acc[t] of Money for exchanging ragged & torn Bills

To the western Moiety of the Exchange Money of the 20th of George the second.....	3004,, 16,, 0	1774 May 11. By Part of the Justices & Freeholders' Certificate of Money sunk this Day, the Rem[r] credited in the Sinking Fund Account, & the whole burned by the Committees May 18, 1775.....	3233,, 15,, 6
To the Western Moiety of ditto of the 29th of George the second.....	1749,, 1,, 6		
To the Western Moiety of ditto of the 4th of George the third.....	5000,, 0,, 0		
		Ballance carried to general Account.	6520,, 2,, 0
	£9753,, 17,, 6		£9753,, 17,, 6

D^r Samuel Smith Esq^r C^r

General Acc^t with the Province of New Jersey

To Ballance from Sinking-Fund Account.....	1413 „ 19 „ 9¾	By Ballance from Acc^t of Support of Government...	1767 „ 7 „ 1¼
To Ballance from Account of Exchange Money	6520 „ 2 „ 0	Ballance due, & this Day paid to Joseph Smith Esq^r his Successor in office ℔ Receipt of this Date.....	6166 „ 14 „ 8½
	£7934 „ 1 „ 9¾		7934 „ 1 „ 9¾

Burlington May 18, 1775

Errors Excepted

By Order of the Committees

Jn° Stevens

Sam^l Tucker

His Excellency the Governor having been pleased to appoint Joseph Smith Esq^r Treasurer of the Western Division of this Province in the Room of the Hon^ble Samuel Smith Esq^r who hath resigned the said Office; and a Bond having been laid before the House duly executed according to the Directions of An Act of Assembly passed in the fourteenth Year of His present Majesty's Reign, with two Sureties and with the Condition directed by the said Act, which Bond having been read and considered, it is the unanimous Opinion of the House that the same and the Sureties therein bound are ample and sufficient, and the late Treasurer Samuel Smith Esq^r having fully settled his Accounts and paid the Ballance due thereon to his Successor in Office,

Ordered, That the Bond given by the said Samuel Smith Esq^r as Treasurer of the Western Division of this Province, be delivered up to be cancelled agreeably to the Directions of the Act of Assembly before mentioned.

The House continued till Tomorrow

Friday May 19th 1775. The House met

Present as before

The House continued till Tomorrow

Saturday May 20th 1775 The House met

Present

David Ogden Esqr	Stephen Skinner Esqr
Samuel Smith Esqr	Daniel Coxe Esqr
James Parker Esqr	John Lawrence Esqr
Richard Stockton Esqr	Francis Hopkinson Esqr

His Excellency came into the Council Chamber & having by the Deputy Secretary, commanded the Attendance of the House of Assembly, the Speaker with the House attended, and the Speaker addressed the Governor in the Words, or to the Effect following.

"I am ordered by the House of Assembly to deliver to Your Excellency their Address, which being different from my Sentiments, I think it necessary thus publickly to declare it—a step I should not have taken had I been permitted to enter my Dissent on the Minutes of the House."

After which the Speaker delivered the Address of the House of Assembly to His Excellency as follows viz:

To His Excellency William Franklin Esquire, Captain General, Governor and Commander in Chief in and over His Majesty's Colony of Nova-Cæsarea or New Jersey, and Territories thereon depending in America, Chancellor and Vice Admiral in the same &c—

The Humble Address of the Representatives of the said Colony in General Assembly convened.

May it please Your Excellency.

We, His Majesty's loyal and dutiful Subjects, the Representatives of the Colony of *New-Jersey* in General Assembly

convened, have taken under our Consideration Your Excellency's Speech at the Opening of the Session, together with the Resolution of the House of Commons accompanying the same, containing a Proposition for accommodating of the unhappy Differences at present subsisting between our Parent Country and the Colonies.

As the Continental Congress is now sitting to consider of the present critical Situation of *American* Affairs, and as this House has already appointed Delegates for that Purpose, we should have been glad that Your Excellency had postponed the present Meeting until their Opinion could be had upon the Resolution now offered for our Consideration, and to which we have no Doubt that a proper Attention will be paid, more especially as we cannot suppose you to entertain a Suspicion that the present House has the least Design to desert the Common Cause, in which all *America* appears to be both deeply interested and firmly united, so far as separately and without the Advice of a Body, in which all are represented, to adopt a Measure of so much Importance. Until this Opinion is known we can only give Your Excellency our present Sentiments, being fully of Opinion that we shall pay all proper Respect to, and abide by, the united Voice of the Congress on the present Occasion.

Your Excellency is pleased to tell us, That this Resolution "has had a Variety of Interpretations put on it."—"that scarcely any have seen it in its proper Light"—and you proceed to give us that Explanation of the Design and Occasion which you apprehend will enable us and our Constituents to judge how far the Plan it contains ought to be acquiesced in, and what steps it may be prudent to take in the present Situation. We confess that Your Excellency has put a Construction on the Proposition which appears to us to be new and if we could be of the Opinion that the Resolution "holds no Proposition beyond the avowal of the Justice, the Equity and the Propriety of Subjects of the same State, contributing according to their Abilities and Situation to the publick

Burden," and did not convey to us the Idea of submitting the Disposal of all our Property to others in whom we have no Choice, it is more than probable that we should gladly embrace the Opportunity of settling this unhappy Dispute.

Most Assemblies on the Continent have, at various Times, acknowledged and declared to the World their Willingness, not only to defray the Charge of the Administration of Justice and the Support of the Civil Government, but also to contribute, as they have hitherto done, when constitutionally called upon, to every reasonable and necessary Expence for the Defence, Protection and Security of the whole *British* Empire; and this Colony in particular hath always complied with His Majesty's Requisitions for those Purposes: And we do now assure Your Excellency that we shall always be ready, according to our Abilities, and to the utmost of our Power, to maintain the Interest of His Majesty and of our Parent State. If then your Excellency's Construction be right, and if a Proposal "of this Nature" will, as you are pleased to inform us, be received by His Majesty with every possible Indulgence, we have Hopes that the Declaration we now make will be looked on by His Majesty and his Ministers not only to be similar to what is required from us, but also to be a "Basis of a Negotiation" on which the present Differences may be accommodated—An Event which we most ardently wish for.

We have considered the Resolution of the House of Commons—We would not wish to come to a Determination that might be justly called precipitate in the present alarming Situation of Affairs—But, if we mistake not, this Resolution contains no new Proposal; It appears to us to be the same with one made to the Colonies the Year preceding the passing of the late Stamp Act, at least it is not materially different therefrom. *America* then did not comply with it, and though we are sincerely disposed to make use of all proper Means to obtain the Favour of His Majesty and the Parliament of *Great-Britain*, yet we cannot, in our present Opinion, comply with a Proposition which we really apprehend to give

up the Privileges of Freemen; nor do we want any Time to consider whether we shall submit to that which, in our Apprehension, will reduce us and our Constituents to a State little better than that of Slavery.

By the Resolution now offered, if assented to, we think we shall be to all Intents and Purposes as fully and effectually taxed by our Fellow Subjects in *Great-Britain*, where we have not any Representation, as by any of the late Acts of the *British* Parliament, under which we have been aggrieved—of which we have complained—and from which we have prayed to be relieved, and that too in a much greater Degree, perhaps, than by all those Acts put together. We cannot consent to subject the Property of our Constituents to be taken away for Services and Uses, of the Propriety of which we have no Right to judge, while to us are only left the Ways and Means of raising the Money. We have always thought and contended that we had a Right to dispose of our Property ourselves, and we have always cheerfully yielded our Assistance to His Majesty in that Way, when the Exigencies of Affairs required us so to do and he has condescended to ask it from us. It is the Freedom of Granting, as well as the Mode of raising Monies which this House cannot voluntarily part with without betraying the just Rights of the Constitution. The present Resolution seems to require us to raise a Proportion which a Parliament of *Great-Britain* may at any Time think fit to grant. At this Time we cannot form any Judgment, either of the Extent of the Proposition, or of the Consequences in which the good People of the Colony may be involved by our Assent to a Provision so indeterminate; for it appears to us to be impossible to judge what Proportion or Share the People can bear until we know what Situation they will be in when any Sum is intended to be raised.—Upon the Whole, though sincerely desirous to give every Mark of Duty and Attachment to the King, and to shew all due Reverence to the Parliament of our Parent State, we cannot, consistent with our real Sentiments, and the Trust

reposed in us, assent to a Proposal big with Consequences destructive to the publick Welfare; and hope that the Justice of our Parent Country will not permit us to be driven into a Situation the Prospect of which fills us with Anxiety and Horror.

There may be much Truth in the Observation "that Mankind generally act, not according to Right, but according to present Interest, and most according to present Passion." Yet we trust that our Conduct, on the present Occasion, is neither influenced by the one or the other; and we persuade ourselves that Your Excellency is so well acquainted with the People you govern, that it is quite unnecessary for us to make use of any Means to convince you of the Injustice of the Charge "that the *Americans* have deeper Views, and mean "to throw off all Dependence on *Great-Britain*, and to get "rid of every Control of their Legislature."

We heartily pray that the Supreme Disposer of Events, in whose Hand are the Hearts of all Men, may avert the Calamities impending over us, and influence our Sovereign, his Ministry and the Parliament, so as to induce them to put a Stop to the Effusion of the Blood of the Colonists, who wish always to look upon their Fellow Subjects in *Britain* as their Brethren, and are really desirous to promote their interest and Happiness upon any reasonable Terms; and it will give us great Pleasure to find Your Excellency amongst those who, by just and proper Representation of the Dispositions of the Inhabitants of these Colonies, shall assist in settling of the present unhappy Differences.

By Order of the House,
CORTLAND SKINNER, *Speaker.*

House of Assembly May 19, 1775.

To which His Excellency made a Reply as follows, viz:

Gentlemen

I have done my Duty. I lost no Time in laying before you the Propositions I had received for an amicable Accom-

modation of the present unhappy Differences. I gave you as full and candid an Explanation of them as I was authorized or enabled to do. Whether those Propositions, or my Explanation of them, did or did not contain anything new is but little to the Purpose. The Question is, whether they ought or ought not to be approved, either in Whole or in Part, or be made the Ground of a Negotiation; and whether, in the latter Case, every Assembly on the Continent ought not to take some active Measures to effect an End so desirable. In stating the Matter to you, I could have no suspicion that you did not think yourselves competent to the Business, and were necessarily to wait the Determination of another Body. It was but the last Session that you assured me that you would not "suffer any of the Rights vested in you by the Constitution to be wrested out of your hands by any Person or Persons whatsoever." I shall forbear to point out the Inconsistency of this Address with that Declaration. Nor shall I aim to convince you of the wrong Ideas you have formed of those Propositions. Were they ever so rightly understood, or ever so well approved by you, yet, to judge by your own Declarations, it could be of no Avail. The Times are indeed greatly altered. I shall be happy to see some proper Attempts to mend them. My Representations and Endeavours from the first Commencement of this unnatural Dispute to this Day, have not been nor shall they ever be wanting towards effecting a Reconciliation. I am persuaded that if a Disposition of this Sort is manifested, and the proper Steps are pursued by those who have it in their Power to take the Lead in this important Affair on the Part of *America*, it may be easily accomplished to mutual Satisfaction. His Majesty, I am sure, would wish to avoid the Shedding of the Blood of His *American*, as much as that of His *British* Subjects. They must be all equally dear to him if they are equally dutiful. The *Americans* in general have been, and I hope will ever prove as well disposed to His Majesty and His Family as the Subjects of any other Part of the Dominions.

A Message from the House of Assembly by Mr Mehelm and Mr Elmer, requesting to Know whether this House have any further Business before them, and that if they have not, the House of Assembly intend to apply to His Excellency for a Dismission.

To which the Speaker answered "There is no further Business before this House, and they have no Objection to such Application being made."

His Excellency came into the Council Chamber, and having, by the Deputy Secretary, commanded the Attendance of the House of Assembly, the Speaker with the House attended, when His Excellency was pleased to prorogue the General Assembly to Tuesday the 22d day of June next then to meet at the City of Burlington.

A true Copy

Chas Pettit, D Clerk

A Journal of the Proceedings of His Majesty's Council for the Province of New Jersey at a session of the General Assembly began and holden in the City of Burlington, on the fifteenth day of November, in the year of our Lord one thousand seven hundred and seventy five, and in the sixteenth year of the reign of our Sovereign Lord, King George the Third.

Wednesday November 15, 1775

The House Met

Present

The Chief Justice	Daniel Coxe, Esq.
Richard Stockton, Esq.	John Lawrence Esq.
Stephen Skinner, Esq.	Francis Hopkinson, Esq.

The House Continued till to-morrow.

Thursday November 16, 1775

The House Met

Present

The Chief Justice	Daniel Coxe, Esq.
Richard Stockton, Esq.	John Lawrence, Esq.
Stephen Skinner, Esq.	Francis Hopkinson, Esq.

His Excellency came into the Council Chamber, and having, by the Deputy Secretary, commanded the attendance of the House of Assembly, the Speaker with the House attended, when his Excellency was pleased to make a Speech to both Houses in the words following, viz:

Gentlemen of the Council and Gentlemen of the Assembly.

I have called this meeting that you might have an opportunity of transacting such business as the publick exigencies of the Province required.

Having lately said so much to you concerning the present unhappy situation of publick affairs, and the destructive measures which have been adopted in the Colonies, under the pretence of Necessity; and as I do not yet see that the urging any more arguments on that head has a chance of producing any good effect, I shall not endanger the harmony of the present session by a further discussion of the subject.

It is necessary, however, that you should be informed, "That His Majesty laments to find his Subjects in America so lost to their true interests as neither to accept the resolution of the House of Commons of the 20th of February, nor make it the basis of a negotiation, when, in all probability, it would have led to some plan of accommodation; and that, as they have preferred engaging in a rebellion which menaces to overthrow the Constitution, it becomes His Majesty's duty, and is his firm resolution, that the most Vigorous Efforts

should be made both by sea and land, to reduce his rebellious subjects to obedience. But it is hoped that, unfavorable as the prospects are at present, the time will come when men of sense and friends to peace and good order will see the fatal consequences of the delusions which have led to the measures the people of America are now pursuing, and that we may yet see the publick tranquility re-established, on the ground of the terms held out by His Majesty and the Parliament."

It is likewise proper that you should know "that the Commanders of His Majesty's Squadrons in America have Orders to proceed, as in the case of a Town in actual rebellion, against such of the seaport Towns and places, being accessible to the King's Ships, as shall offer any Violence to the King's Officers, or in which any Troops shall be raised or Military Works Erected, other than by His Majesty's authority, or any attempts made to seize or plunder any publick Magazine of Arms or Ammunition."

Although the King's Officers in this Province have not as yet, except in one or two instances, met with any insults or improper treatment from any of the inhabitants, yet such has been the general infatuation and disorder of the times, that had I followed the judgment and advice of some of my best friends, I should ere this have sought (as others of the King's Governors have done) an asylum on board of one of His Majesty's Ships; but as I am conscious that I have the true interest and welfare of the people at heart, (though I am so unhappy as to differ widely in opinion with their Representatives, respecting the best means of serving them in the present Crisis) I shall Continue my Confidence in that affection and regard which I have on so many occasions experienced from all ranks during my residence in this Colony. I have indeed the stronger inducement to run this risk, and to use my influence with the other Crown Officers to do the same, because our retreat would necessarily be attributed to either the effect or well grounded apprehension of Violence,

and of Course Subject the Colony to be more immediately considered as in actual rebellion and be productive of mischiefs which it is my earnest inclination and determination to prevent, as far as may be in my power. Let me therefore, Gentlemen, entreat you to exert your influence likewise with the people, that they may not, by any action of theirs, give cause for the bringing such calamities on the Province. No advantage can possibly result from the Seizing, Confinement, or ill treatment of the Officers, adequate to the certain damage such acts of Violence must occasion the Province to suffer.

However, gentlemen, if you should be of a different opinion, and will not or cannot answer for our safety, all I ask is, that you will tell me so, in such plain, open language as cannot be misunderstood; for, as sentiments of independency are, by some men of present Consequence, openly avowed, and essays are already appearing in the publick papers to ridicule the people's fears of that horrid measure, and remove their aversion to Republican Government, it is high time that every man should know what he has to expect. If, as I hope, you have an abhorrence of such design, you will do your Country an essential service by declaring it in so full and explicit terms as may discourage the attempt. You may always rely on finding me ready to co-operate with you in every proper expedient for promoting peace, order, and good Government; and I shall deem it a particular happiness to have an opportunity of being instrumental in saving the Province from the present impending danger.

WILLIAM FRANKLIN

Council Chamber November 16, 1775.

After which, the Speaker, with the House of Assembly withdrew

The House continued till to-morrow.

Friday, November 17, 1775

The House met

Present

John Stevens, Esq. Stephen Skinner, Esq.
The Chief Justice, Daniel Coxe Esq.,
Richard Stockton, Esq. John Lawrence, Esq.
Francis Hopkinson, Esq.

The House continued till to-morrow.

Saturday November 18, 1775

The House met.

Present as before

The House continued till Monday next.

Monday, November 20, 1775

The House met

Present as before

The House continued till tomorrow

Tuesday, November 21, 1775

The House met

Present as before

The House continued till to-morrow

Wednesday, November 22, 1775

The House met

Present

John Stevens, Esq. Stephen Skinner, Esq.
The Chief Justice Daniel Coxe, Esq.
Richard Stockton, Esq. John Lawrence, Esq.
Francis Hopkinson, Esq.

The House having taken into consideration the importance of several matters that will be likely to require their attention at this session, and being desirous to have the assistance of Every member who is not withheld from attendance by sickness or other unavoidable cause:

Ordered, That the Clerk of the House do forthwith dispatch a Letter to the Hon. James Parker, Esq., requiring his attendance.

The House having taken into consideration his Excellency's Speech at the opening of the session,

Resolved, That an humble Address be presented to his Excellency in answer to the said Speech.

Ordered, That the Chief Justice and Mr. Hopkinson be a Committee to draw the said Address.

The House continued till to-morrow.

Thursday, November 23, 1775

The House met

Present

John Stevens, Esq.	Stephen Skinner Esq.
The Chief Justice	Daniel Coxe Esq.
Richard Stockton, Esq.	John Lawrence, Esq.

Francis Hopkinson, Esq.

The House continued till to-morrow.

Friday November 24, 1775

The House met.

Present

John Stevens, Esq.	Stephen Skinner, Esq.
The Chief Justice	Daniel Coxe, Esq.
Richard Stockton, Esq.	John Lawrence, Esq.

Francis Hopkinson, Esq.

Mr. Dey and Mr. Garritse, from the House of Assembly, presented for the Concurrence of this House a Bill entitled

"A supplementary Act to an Act entitled An Act appointing Commissioners for finally settling and determining the several Rights, Titles and Claims to the common Lands in the Township of Bergen, and for making partition thereof, in just and equitable proportions, among those who shall be adjudged by the said Commissioners to be entitled to the same," which was read the first time and ordered to a second reading.

The House continued till four o'clock, P. M.[1]

[1] Although the minutes of the House of Assembly during this session of the Legislature, which commenced November 15th, 1775, have been preserved, no proceedings of the Council, beyond November 24th, can be found. Both Houses continued in session until December 6th of the same year.

The following bills were passed and assent thereto given by the Governor:

1. An Act for the Support of Government of His Majesty's Colony of New Jersey, to commence the first day of October, one thousand seven hundred and seventy five, and to end the first day of October, one thousand seven hundred and seventy six; and to discharge the publick debts, and contingent charges thereof.

2. A supplementary Act to the Act entitled "An Act for striking One Hundred Thousand Pounds, in Bills of Credit, and directing the mode for sinking the same.

3. An Act for the speedy recovery of Debts, from six Pounds to ten Pounds.

4. An Act to provide a more effectual remedy against excessive costs in the recovery of Debts above ten Pounds, and for other purposes therein mentioned.

5. An Act to authorize the Board of Justices and Freeholders of the several Counties in the Colony of New Jersey to defray the expense of taking Lists of the Inhabitants.

6. An Act to prevent Rams from running at Large at certain seasons of the year.

7. An Act to empower Isaac Haines to erect a Dam, Mills, and other Water Works on the southernmost branch of the Ancocas Creek in the Township of Evesham in the County of Burlington.

8. An Act to enable the owners and possessors of Meadows and Tide Marsh, lying on both sides of the south branch of Pensawken Creek in the Counties of Burlington and Gloucester to erect and maintain a Bank, Dam, and other Water Works across the said Creek, in order to prevent the tide from overflowing the same.

His Excellency then, on December 6th, 1775, prorogued the General Assembly till Wednesday, the third day of January next, then to meet at Perth Amboy, but it never re-assembled; and thus terminated the Provincial Legislature of New Jersey.

INDEX.

A.

Ackerman: Abraham Jacobus, 187.
Acts passed by the General Assembly and disallowed by the King, 182–184, 217, 219, 260–264, 281–283, 370, 371.
Akely: Jacob, 86, 87.
Alexander: William (Lord Stirling), In Council, 13, 20, 22, 24, 63–74, 76, 77, 83, 85, 86, 105, 106, 160, 170, 175, 185, 186, 188, 189, 191, 193–195, 198, 199, 201, 203, 204, 206, 209, 210, 212, 216, 290, 292–295, 297, 301, 303, 310–312, 314, 316, 317, 319, 324, 327, 329, 331, 334, 336, 339, 340, 343, 345, 346, 348, 357, 359, 360, 362, 363, 373–376, 403, 404, 406–408, 412–414, 418, 420, 423, 425, 427–430, 483, 486, 490, 501, 503, 505, 506, 508, 510, 512, 513, 524, 526, 530.—Messenger, 83, 207, 334.—Of a committee, 87, 204, 301, 341, 348, 354, 364, 430, 431.—Opinion of as to the Governor's authority to execute the office of Chancellor, 167–169.—Difficulty of with Col. Samuel Ogden, 367, 368, 511–518, 522, 523.—An absent member of Council, 448.—His difficulty with James Murdock, 506–508.
Allen: John, 343.
Allinson: Samuel, 395, 482.
Allison: Robert, 294.
Alward: Henry, 293.
Alwood: Henry, 23.
Anderson: John, 513, 526.
Anderson: Thomas, 284.
Annis: William, 188.
Ashfield: Lewis Morris, 185.
Assembly: House of, Message of Governor to, 32, 339.—Speeches of Governor to, 37–40, 192, 217, 298–300, 396–398, 422, 477, 479–482, 540–552, 565–567.—Addresses of, to the Governor, 42–44, 200, 219, 306–308, 421, 422, 487, 558–562.—Proclamation of the Governor for the dissolution of, in order to choose Representatives for the counties of Morris, Cumberland and Sussex, &c., 279.
Atkinson: Thomas, 238.
Axford: John, 525.
Ayars: Benjamin, 321, 323, 331, 352, 371.
Ayars: Jonathan, 267.
Ayres: Nathaniel, 293.

B.

Bainbridge: Absalom, 178.
Baldwin: Samuel, 23.
Baptist Congregation in Hopewell, charter for, 13, 25.
Barber: John, 23.
Bard: Samuel, 13.
Barnet: Oliver, 293.
Barnet: William, Messenger, 524.
Barrack Masters: Accounts of, 93, 195.
Barracks: To be repaired and furnished, 292.
Barron: Samuel, 380.
Barton: Joseph, 298.
Bassett: Elisha, 187.
Bassett: John, 266.
Baxter: David, 334, 338.
Bayard: William, In relation to the Secaucus patent, 40.
Benson: John, 187.
Bergen County: Petitions of inhabitants relative to the precincts of New Barbadoes and Hackensack, 526, 527.
Berrien: John, 37, 66, 73, 86, 92, 93, 97, 100, 186, 203, 204, 208, 209, 214, 220, 284.
Berry: Thomas, 373.
Bills and Acts: To prohibit the setting nets, seines and other devices in the river Raritan and South river, &c., 42, 45, 48, 69.—For laying a duty on the purchase of slaves imported into this Colony, 48–51, 53, 56, 69.—To amend an act appointing Commissioners for finally settling and determining the several rights, titles and claims to the common lands of the township of Bergen, &c., 50, 52, 63, 65, 67, 69, 182.—To enable the owners and possessors of the meadows and marshes bounding on the Delaware river between the lands of John Mecon and Allen Cougleton, &c., 54, 55, 69.—To enable sundry of the owners and possessors of meadows or tide marsh lying on Newton creek to erect and maintain a bank, dam and other water works, &c., 54, 55, 69.—For the support of Government of His Majesty's Colony of New Jersey, 66, 68, 69 (2d Bill), 203, 205, 206, 214 (3d Bill), 244–246, 255 (4th Bill), 334, 337, 349 (5th Bill), 470, 471, 473 (6th Bill), 505, 506, 509 (7th Bill), 570.—To erect courts in the several counties in this Colony for the trial of causes of ten pounds and under, 69, 83–85, 89, 103, 217, 263, 264.—For the encouragement of mak-

ing iron at the works in the township of Evesham and Northampton, in the county of Burlington, 70, 71; title of act amended, 74, 104.—To constitute and make Great Timber creek, in Gloucester county, a lawful fence from the mouth thereof to the fork of the same, &c., 72, 104.—To rebuild and maintain the bridge over Crosswicks creek, &c., 73, 76.—For preserving of oysters in the Colony of New Jersey, 73, 75, 104 (2d Bill), 403-405, 474 (3d Bill), 501-503, 509.—For the recovering of damages for trespasses done by swine, 73, 75, 104.—For maintaining the banks and sluices and draining the meadows on Mannington creek in the county of Salem, and repealing an act to enable the owners of the meadows and marshes on both sides of Mannington creek to stop out the tide, &c., 73, 76, 105.—To enable Rev. Colin Campbell, rector of Saint Mary's Church in Burlington, with the church wardens, &c., to sell two hundred acres of land in Somerset county, &c., 75-77, 82, 85, 91, 93, 103.—For the relief of Isaac Bonnell, Esq., High Sheriff of Middlesex, with respect to escapes, 77, 83, 105.—For the more effectual discovery and punishment of the crime of horse stealing, 84, 86, 89, 91, 103.—To maintain and repair the public roads in the township of Hanover, Morris county, by a tax on the inhabitants for the same, 85-87, 104.—To naturalize Christopher Bishop, John Lame, Peter Lame and others, 86-88, 105.—To settle the quotas of the several counties of this Colony for the levying of taxes, 88-90, 103, (2d Bill), 206, 207, 209-211, 215.—For the more effectual preservation of deer in this Colony, 88, 90, 92, 103.—To impower the inhabitants of the townships of Bridgewater and Bedminster in Somerset county to repair their highways by hire, &c., 89, 92, (2d Bill), 424-426, 476.—For the relief of insolvent debtors, 90-92, 102, 217, 218, 264.—For striking £100,000 in bills of credit, 92, 94, 103, 184, 389.—To vacate certain lands in the county of Middlesex, late of Thomas Leonard, Jr., deceased, &c., 92, 94, 96, 104.—To prescribe the mode of security to be given by the Treasurers of this Colony, 93, 95, 100, 389.—For the more speedy recovery of debts above ten pounds, and under fifty pounds, 93, 96, 97, 100, 101.—For the regulation of ferriages to be taken at the several ferries, &c., 94, 98, 100, 104.—For repairing highways in the South ward of Perth Amboy, by tax, &c., 92.—For explaining and amending an act for enabling the owners of meadows and marshes, &c., that surround the Island of Burlington to stop out the tide, &c., 94-96, 104.—Appointing Commissioners for supplying the several barracks, &c., with furniture, &c., for the King's troops, &c., 101-103.—To indemnify the Treasurers of this Colony for advancing certain sums of money to the agents appointed by law to manage the controversy touching the settlement between New Jersey and New York, 102, 104.—For better settling and regulating the militia of this Colony, 170.—For preventing dangerous tumults and riotous assemblies, for repelling invasions, &c., 170.—To revive and continue the process and proceedings lately depending in the courts of Monmouth county, 170.—To provide more effectual remedy against excessive costs in the recovery of debts under fifty pounds, &c., 170.—For defraying incidental charges, 170.—To explain and amend an act for the relief of insolvent debtors, &c., 170.—To revive an act to prevent waste from being committed upon the common land allotted to the patent of Secaucus, in corporation of Bergen, 170.—To enable owners, &c., of meadows, &c., in Lower Penn's Neck, in Salem county, to stop out the tide, &c., 170.—To enable persons who are His Majesty's liege subjects, either by birth or naturalization, to inherit and hold real estate, &c., 196, 202, 203, 215, 282 (2d Bill), 330, 331, 334, 335, 350, 369, 371.—For preventing frauds by mortgages executed after January 1st, 1766, 196, 199, 201, 215.—To regulate the pasturing of lands, meadows, &c., lying on and adjoining Barnegat beach, 197, 202, 215.—To prevent swine running at large in the town of Haddonfield, Gloucester county, 197, 199, 201, 215.—To vacate a certain bond or obligation given and executed by Samuel Rogers, &c., to Richard Stevens and Robert Lawrence, 198.—For better enabling creditors to recover their just debts from persons who abscond themselves, 201, 205, 210, 211, 215, 282.—To naturalize Frederick Outgelt, Leonard Nymaster, Peter Lupp, John Bowers, Lawrence Eykienier, George Obert, Peter Obert and John Irich, 201, 205, 215.—To raise a fund for defraying damages done by dogs in the counties of Somerset, Hunterdon, Burlington and Gloucester, 203, 205, 206, 215.—For the equitable clearing out, amending and repairing the public roads, &c., in the counties of Hunterdon, &c, 206, 207.—For the relief of Thomas Tindall and James Clark, the younger, 210, 212 (2d Bill), 244, 246, 247, 257.—Subjecting real estates to the payment of debts, and directing the Sheriff in his proceedings thereon, 211, 213.—For making a farther provision of £500 for furnishing troops stationed in this Colony with necessaries, &c., 211, 213-215.—For establishing a boundary line between the Colonies of New York and New Jersey, &c., 212-215.—To repeal an act for the relief of insolvent debtors, 218, 222.—For the regulation of rates, &c., at the ferries on the Raritan river within the corporation of Perth Amboy, 221, 222, 226, 256.—To impower the inhabitants of the township of Deptford, in county of Gloucester, to repair their highways

by hire, and raise money for that purpose, 222, 225, 227, 256.—To continue and amend an act for better settling and regulating the militia, 226, 228, 229, 255.—To enable creditors to recover their debts from joint partners, 226, 228, 229, 256.—For preventing the waste of timber, &c., 228, 256.—For the preservation of deer and other game, and to prevent trespassing with guns, 228–230, 256.—To enable owners and possessors of meadows on the southerly branch of Newton creek, &c., to maintain a bank, dam, &c., 231, 232, 234, 257.—To revive and continue two acts therein mentioned, 232, 233, 236, 239, 256.—For the relief of John Budd, of Salem, 233, 235, 236, 238, 239, 257.—To enable owners and possessors of meadows, &c., on English creek to erect a bank, dam, &c., 233, 238, 240, 257 (2d Bill), 312, 313, 315, 351 (3d Bill), 415, 416, 424, 476.—For the relief of insolvent debtors, 234, 238, 245, 246, 248, 249, 251, 256, 504–506, 510.—Declaring the river Delaware a common highway, and for improving navigation thereof, 234, 239, 242, 256.—To extend the jurisdiction of the several counties which are divided by rivers, creeks and bays, 234, 237, 242, 256.—Supplementary to an act to enable the owners of meadows belonging to the town of Salem to keep out the tide, 237, 240, 257.—For appointing commissioners to view the ground and report to the next session of the Legislature as to the practicability of laying out straight roads through certain parts of New Jersey, &c., 237, 238.—To enable owners and possessors of meadows, &c., on Assiscunk creek, &c., to stop out the tide, &c., 239 (2d Bill), 311, 313, 322, 323, 327, 351.—To impower and require the Justices and Freeholders of Hunterdon and Sussex counties to raise £50 on each county for erecting a bridge across Musconetcong creek, &c., 239, 241–243, 245–247, 256.—For more effectual maintaining above the flow of the tide the highway between the toll bridge on Newton creek and land of Kesiah Tonkin, 242, 243, 247, 257.—To impower certain persons to raise a sum of money to rebuild and keep in repair the bridge over Raritan river known as Queen's bridge, 243, 244, 247, 257 (2d Bill), 328, 330, 333, 351.—To rebuild and hereafter repair and amend the bridge over Stony brook, near Worth's mills, 244, 246, 247, 256.—To enforce the payment of several old arrears due to the treasury of New Jersey, 246, 248, 250, 255.—To grant further allowance to the Sheriffs of the Colony for the subsistence of prisoners, 248, 250, 251, 256.—To enable the proprietors, &c., of meadows on Pinch ditch, Black brook and part of Whipanany river, &c., to clear, deepen and dig ditches for draining, &c., 250, 251. 257.—For the speedy recovering of debts from six to ten pounds, &c., for small fees, 251, 254, 255 (2d Bill), 343, 346, 347, 350.—For defraying incidental charges, 252, 255.—To enable the owners and possessors of meadows, &c., on a branch of Alloways creek to keep up banks, dams, &c., 303, 310, 324, 351.—To prohibit the importation of persons into this Colony who have been guilty of crimes, 310, 313, 316, 317, 326.—To prevent the exportation of unmerchantable flour, 310, 313, 322, 325, 350.—For inspecting and culling staves, &c., 339, 345, 350.—For regulating roads and bridges, 339.—For establishing the boundary or partition line between the Colonies of New York and New Jersey, 344, 345, 348, 350.—For defraying incidental charges, 346–349.—To naturalize Lucas Van Beverhoudt, 400, 403.—To enable the owners, &c., of marsh and swamp in Upper Penn's Neck, in county of Salem, to erect and maintain a bank, dam, &c., 403–405, 475.—To enable sundry owners, &c., of meadows, &c., lying on Mason's creek, in county of Burlington, to erect and maintain a bank, dam, &c., 403, 405, 475.—For the better regulation of juries, 404, 406, 427, 440.—For lowering the interest of money to six per cent. in this Colony, 401, 428, 429, 474, 535, 536.—For the relief of Abner Hetfield, an insolvent debtor, 405, 406, 477, 535, 536.—To repair and amend the public roads and streets in the Northern ward of the city of Amboy, &c., 408, 417, 475.—To naturalize Jacob Chestnutwood, 412, 416.—To suspend the prosecution of the County Collector of Cape May for a limited time, &c., 412, 414, 475.—For erecting a dam, mills, &c., on Nacut creek, in the county of Gloucester, &c., 412, 413, 416–418, 475.—To enable the owners of the meadows and marsh adjoining Repaupo creek, in the county of Gloucester, to erect, &c., a dam, bank, &c., 413–415, 476.—For regulating fences, 415, 416, 418–420, 474.—For the more effectually suppressing vice and immorality, 423, 429, 462.—To enable the owners and possessors of marshes, meadows, &c., bounding on the southwest side of Raccoon creek, &c., to stop out the tide, &c., 423, 425, 476.—For rebuilding, repairing, &c., the draw-bridge over Crosswicks creek, in county of Burlington, &c., 423–425, 476.—To postpone the payment of the provincial taxes, &c., for one month, &c., 424–426, 474.—For the more effectual discovery and punishment of the crime of horse stealing, 429, 430, 461, 474.—For the settlement and relief of the poor, 432, 434, 436, 454–456, 460, 473.—To enable sundry persons and possessors of lands and meadows lying upon the Wallkill, &c., 432, 436, 437, 440, 442, 476.—To impower the inhabitants of Elsinborough and Pittsgrove, &c., to repair their public highways by hire, &c., 433, 434, 436, 443, 476.—To alter the time of holding the annual town meetings in this Colony, 433, 434, 436, 439.—For regulating roads and bridges, 435, 436, 447, 448–451, 455,

473.—To regulate the packing of beef and pork and to ascertain the size of casks, 435, 436, 442, 443, 474.—More effectually to punish the counterfeiters of foreign gold and silver coin, &c , 439, 441, 443, 445, 455, 457, 474.—To prevent dogs from killing sheep within the township of Deptford, in county of Gloucester, 440, 452, 468.— More effectually to prevent the malicious killing, maiming, &c., of horses, sheep, or horned cattle, 442, 444–446, 451–453.—More effectually to prevent the erecting of lotteries and selling of lottery tickets, 445, 451–453, 458, 464, 474.—More effectually to prevent horse racing, cock fighting, shooting matches and gambling, 448, 456, 457.— For erecting a convenient jail in the county of Cape May and rebuilding court-house, &c., 450, 451, 456, 475 —To relieve Sarah Ely, Isaac De Cow, David Brearley, Jr., with respect to the loss of two title deeds by fire, 453, 458–460, 477.—To enable the owners of lowlands, &c., on both sides of Asunpink brook, to remove obstructions, &c., 453, 455, 459, 464, 475.—For the more speedy recovery of legacies, &c , 456, 460, 461, 474 —To oblige the Treasurers of the Colony of New Jersey to give security, &c., 457, 460, 462–469, 472, 474.—More effectually to prevent gaming and other vices, &c., 460, 463. —To authorize the present Treasurer of the Eastern Division to bring an action against the late Treasurer for money said to be stolen from the treasury, 462–467, 469, 474.—For striking £100,000 in bills of credit, &c., 471, 474, 535, 536 (2d Bill), 570.—For defraying incidental charges, 472, 473.—To enable the owners of the meadows and swamps lying on Ramboe's run, in county of Gloucester, to keep the dam, bank, &c., 486, 490, 499, 509.—To erect and establish courts, &c., for the trial of small causes, and to repeal the former act for that purpose, 487, 490–493, 500, 509. To naturalize John George Felthauzen, 311, 312, 314, 352, 371.—To enable the owners of the meadows, &c., on the river Passaic and Dead river, to clear the same from obstruction, &c., 311, 312, 317, 318, 325. (2d Bill), 337, 338, 347, 349, 350.—To suppress fairs in the city of Burlington, 312, 313, 315, 329, 337.—To regulate the fishery within that part of the Eastern Division of this Colony from the mouth of the Raritan river northward, 312, 313, 315.—To preserve the right of private fishing, &c., 316, 324, 326, 329.—To prevent the holding of fairs in the Province of New Jersey, 316, 329.—For the relief of Richard Stevens, imprisoned, 317, 318, 323, 352. —For the relief of Benjamin Ayars, now in jail, 321, 323, 331. 352, 371.—To prevent abuse in packing beef and pork, &c., 322, 323, 332, 337, 350.—To take the examination of a departing witness, 325, 326, 330.—For making process in courts of equity more effectual against mortgagors, &c., 325, 327, 336, 350.—To regulate the practice of physic and surgery, 325–327, 333, 334, 345, 346, 349, 350.—For returning able and sufficient jurors, and for the better regulation of juries. 330, 333.— For raising the sum of £450 proclamation money on the inhabitants of Middlesex and Somerset counties, 330, 332, 351.—To prevent the holding of fairs in Burlington, Princeton and township of Windsor, 330, 331, 333. 351.—For the better preservation of deer in township of Morris, 330, 332, 335, 352.—To enable certain persons to erect and draw a lottery for raising £1.050 for purposes therein mentioned, 331, 335, 337. 352 —To dissolve the marriage of David Baxter, &c , 334, 335, 338, 371.—To enable the owners of a tract of marsh at Elsinborough to maintain a bank for draining, &c , 338, 344, 351.—To regulate the taking fish in the river Delaware above the falls at Trenton, 491, 493.—To assess the township of Amwell in order to reimburse Joseph Moore for repairing a bridge, &c., 491–493. 509.—For raising the sum of £357,,14,,11 on the inhabitants of Somerset county for repaying certain persons for rebuilding Queens bridge, 500, 501, 509.—For raising the sum of £122,,14,,3 on the inhabitants of Middlesex and Somerset for repaying managers of Landing bridge, &c., 500–502, 509 —To confirm and establish a road from Bergen Point up Newark bay, and thence to Paulus Hook, &c., 502–594, 509.—Appointing Commissioners for finally settling and determining the several rights, titles and claims to the common lands in the township of Bergen, 570.— For the speedy recovery of debts from six to ten pounds, 570.—To provide a more effectual remedy against excessive costs in the recovery of debts above ten pounds, &c., 570.—To authorize the Board of Justices, &c., in the several counties to defray the expense of taking lists of the inhabitants, 570.—To prevent rams from running at large, &c., 570.—To impower Isaac Haines to erect a dam, &c , on the southernmost branch of the Ancocas creek, &c., 570 —To enable the owners and possessors of meadows, &c , on both sides of the south branch of Pensawken creek to erect and maintain a bank, dam, &c., 570.

Bills of Credit: Canceled, 45, 50, 204, 207, 220–222, 302, 319, 407, 408, 409, 483, 484, 493 494.—An act for striking £100,000 in, 92, 94, 103, 184, 389.—A number of, found among papers of Robert Hude, dated March, 1737, 340, 341, 343, 344.— Directed to be sunk, 434–438.

Bishop: Christopher, 86, 87, 105.

Blackwood: Samuel, 275.

Bogart: Jacob, 525.

Bohn: John, 86, 88.

Bond: Elijah, 356, 357, 359, 360.

Boundary between New Jersey and New York, 3, 9–11, 14–19, 21, 86, 87, 178, 179.

Bouslby: Richard, 294.

Bowen: David, 271.

Bowers: John, 201, 205, 215.
Bowlby: See *Boushy*
Brearly: David, 453, 458–460, 477.
Brick: Joshua, 354.
Broderick: Anthony, 533.
Brookfield: Jacob, 525.
Brown: Abia, 294.
Brown: George, 275.
Brown: Peter, 86, 88.
Brown: Thomas, 187.
Bryant: William, 23.
Budd: Bern, 357, 358, 361, 369, 516.
Budd: John, 220, 233, 235, 236, 238, 239, 257.
Budd: Thomas, 361.
Bullock: Joseph, 37, 56, 73, 92, 96, 195, 198, 221, 229.
Burlington County: Petition in relation to the time of holding the courts, 12.
Burlington: St. Mary's Church at, 74.

C.

Carey: John, 380.
Carl: Uriah, 171.
Carle: John, 384, 385, 516.
Carty: John, 26.
Census of the inhabitants of New Jersey, 284, 287.
Chamberlain: Lewis, 171, 176.
Chambers: Abraham, 373.
Chancellor: Respecting the authority of the Governor to execute the office of, 25.—Opinions in regard thereto of the committees appointed to consider the same, 108–169. — Instructions of the King in regard to the various courts, 154, 158–160.
Chancery: Court of, 25.—Ordinances and proceedings under various Governors in relation thereto, 155–158. — Ordinance for the better establishing of, 169. — Proclamation for appointing four terms yearly in, 289.
Cheever: Jonathan, 516.
Chestnutwood: Jacob, 412, 416.
Church: Dutch Reformed, 520, 521.
Church of England in America: Charter for, 2.
Clarke: Benjamin, 1.
Clarke: Charles, 1.
Clark, Jr.: James, 210, 212, 244, 246, 247, 257.
Clark: Thomas, 275.
Clinton: James, 10.
Cochran: Doctor John, 293, 524.
Cockran: Richard, 23, 275, 373.
Combs: John, 172, 298, 403, 408, 415, 433, 435, 439, 453, 464, 467–469, 472, 483, 500, 504.
Cook: Henry, 178.
Cooper: Benjamin, 357, 358, 361, 369, 516.
Cooper: Daniel, 516.
Coroners: Appointment of, 27, 28, 30, 31.
Cortwright: Henry William, 373.
Corwine: John, 176.
Cosman: Job, 86, 88.
Cougle: Andrew, 86, 88.
Council: Appoint a committee to consider what authority the Governor may have to act as Chancellor, 25.—Addresses of, to the Governor, 46, 304, 305.—Complained against for not rising on receiving messages from the Assembly, 97.—Reply of, to the same, 99.—Reports of the committee appointed to consider what authority the Governor may have to act as Chancellor, 108–169.—Advise that the Governor be appointed Chancellor by ordinance, and that an ordinance be prepared for the better establishing the High Court of Chancery, 169.
Counterfeiters: Petition in behalf of, 357–359, 361, 362.—Referred to, 420, 421.
Courts: Acts to erect in the several counties, 69, 83–85, 89, 103, 217, 263, 264.
Cox: John, 525.
Coxe: Charles, 23.
Coxe: Daniel, In Council, 216, 218, 220, 222, 226, 228, 230, 231, 233–236, 238, 240, 242, 244, 245, 249, 250, 253, 264–271, 275, 288, 290, 292–295, 300, 301, 303, 310–312, 314, 316, 317, 319, 324, 327, 329, 331, 334, 336, 339, 340, 342, 343, 345, 346, 348, 357, 359, 362, 363, 366, 367, 372, 374–376, 379, 380, 386–389, 393, 395, 396, 399, 400, 401, 403, 404, 406–408, 412–414, 416, 418, 420, 423, 425, 427–430, 432–435, 437, 441, 442, 444, 447, 448, 450, 452–454, 457, 458, 461, 463, 466, 468–472, 478, 479, 482, 483, 485, 486, 490–492, 499, 501, 503, 505, 506, 508, 510–513, 515, 518, 519, 522, 524, 526, 530, 531, 534, 535, 537, 539, 540, 558, 564, 565, 568, 569.—Of a committee, 221, 230, 302, 328, 341, 401, 402, 407, 418, 428, 430, 431, 435, 437, 438, 438, 445, 446, 449, 452, 454, 460, 462–465, 469, 482, 484, 489, 502, 513.—Messenger, 226, 238, 329, 335, 419, 420, 451, 486, 504, 506.—Mandamus, admitting him to the Council, 259.—Petition of, 356, 359.
Crane: Stephen, 37, 86, 100, 101, 107, 186, 200, 219, 298, 334, 339, 341, 349, 402, 435, 470, 482, 502, 505.
Crawford: John, 266.
Cripps: Whitten, 365.

D.

Daniels: William, 107.
Darby: John, 516.
Davenport: Josiah Franklin, 352, 354.
Dayton: Jonathan, Jr., 23.
Deare: Jonathan, 340, 341, 482.
Debon: Isaac, 343.
De Cow: Isaac, 453, 458–460, 477.
De Hart: William, 516.
Delaware river: Weirs, pounds, &c., in, 25.
Demarest: James, 363.
Demarest: John, 37, 50, 66, 92, 195, 204, 211, 228, 229, 298, 349, 363, 402, 432, 435, 439, 553.
Dennis: Anthony, 10.
De Noyelles: John, 179.
Dey: Theunis, 37, 50, 89, 196, 203, 204, 212, 214, 221, 226, 298, 302, 331, 337, 402, 446, 469, 470, 473, 491, 500, 553, 569.
Dodd: David, 171, 172.
Dodd: John, 171, 172.
Dollas: William, 294.
Drummond: Andrew, & Company, of London, On account of moneys granted by Parliament to the Colonies, 57.
Dunham, Azariah, 298, 302, 553.

E.

Eckley: Thomas, 525.
Eldridge: Eli, 298, 401, 408, 450, 482, 483, 510.
Elmer: Daniel, 294.
Elmer: Theophilus, 271, 298, 322, 403, 412, 415, 423, 424, 433, 452, 471, 489, 491–493, 564.
Ely: John, 453, 460, 464.
Ely: Sarah, 453, 458–460, 477.
Erskine: Robert, 293.
Ewing: Maskell, 386.
Eykienier: Lawrence, 201, 205, 215.

F.

Faish: John Jacob, 293.
Falman: Peter, 374.
Farnsworth: Robert, 266.
Fulkemer: John Martin, 87, 87.
Felthauzen: John George, 311, 312, 314, 352, 371.
Field: Robert, 373.
Fisher: Hendrick, 24, 37, 42, 45, 54, 66, 85, 86, 88, 93 97, 98, 100, 186, 204, 211, 213, 214, 220, 298, 302, 311, 320, 321, 328, 330, 334, 339–341, 344, 349, 401, 404, 435, 452, 457, 468, 470, 482, 489, 501, 504, 505, 510.
Fithian: Samuel, 267.
Ford: Grace, 516.
Ford, Jr.: Col. Jacob, 374, 384, 385.
Ford: Jacob, 298, 316, 325, 330, 334, 337, 349, 400, 420, 444, 470, 505, 531, 532.
Ford: Samuel, 361, 362, 379, 380, 385, 522, 525, 526.
Forman: Ezekiel, 270.
Forman: Peter, 374.
Foster: Ebenezer, 180, 373.
Fox: John, 171, 176.
Franklin: Benjamin, Appointed agent for transacting the affairs of the Colony in Great Britain, 235, 271.
Franklin: William, In Council, 1–3, 5–7, 9, 11–13, 20, 24, 26, 27, 29, 32, 105, 106, 160, 170, 175–177, 180–183, 185, 186, 188, 189, 258, 264–271, 275, 281, 285, 288, 290, 292–295, 352, 354, 356, 357, 359–363, 366, 367, 372–376, 379–381, 384, 386–389, 393, 511–513, 515, 518, 519, 522, 524, 526, 530, 531, 533–535, 537.—Proclamation of, 4, 10, 11, 34–36, 107, 178, 179, 263, 279, 286, 289, 290, 370, 535–537.—Message to the Assembly, 32, 339.—Speech to the General Assemby, 37–40, 192, 217, 308, 309, 422, 477, 540–552, 562, 563, 565–567.—Address of Assembly to, 42–44, 200, 219, 306–308, 421, 487, 488, 558–562.—Address of Council to, 46, 304, 305.—Appointed Chancellor by ordinance, 169.
Freeman: Daniel, 516.

G.

Gamble: Burgess, 293.
Garrison: Henry, see *Garritse*.
Garritse: Henry, 298, 310, 331, 341, 446, 452, 460, 470, 569.
Gibbons: Grant, 37, 298, 302, 310, 316, 330, 338, 401, 404, 434, 438, 553.
Gibbon: Nicholas, 434, 438.
Gloucester: Town of, Petition from inhabitants of, 372, 378, 394.
Goodwin: William, 512.
Government: Support of, 66, 68, 69, 203, 205, 206, 214, 244–246, 255, 334, 337, 349, 470, 471, 473, 505, 506, 509, 570.
Graham: Robert, 266.

H.

Haight: Joseph, 453, 469.
Haines: Isaac, 570.
Haines: Samuel, 516.
Hancock: William, 434, 438.
Hand: Elijah, 386.
Hand: Jonathan, 37, 226, 298, 328, 412, 423, 447, 450, 460, 469, 472, 489, 491.
Hand: Josiah, 514.
Hanna: Rev. John, 369.
Harris: Ephraim, 294, 386.
Harris: Isaac, 523.
Harrison: Charles, 366.
Hart: John, 37, 45, 85, 93, 101, 195, 203, 210, 211, 220, 229, 237, 293.
Hart: Noah, 293.
Hartf: Johannes Balthazar, 86, 88.
Hartman: John, 86, 88.
Hartshorne: John, 172.
Hartshorne: Robert, 37, 45, 73, 86, 88, 97, 100, 102, 204, 211, 218, 220, 228, 231, 234.
Haynes: Samuel, 357, 358, 361, 369.
Henderson: Michael, 53.
Herber: Thomas, 276.
Heulings: William, 374.
Hew: Samuel, 374.
Hewlings: Abraham, 37, 45, 56, 85, 88, 93, 94, 195, 201, 220, 229, 233, 343, 349, 415, 418, 424, 439, 445, 465, 466, 482.
Hewlings: Thomas P., 298, 302, 303, 322.
Hetfield: Abner, 405, 406, 477, 535, 536.
Hinchman: James, 33.
Hinchman: John, 37, 54, 66, 73, 86, 88, 92, 100, 195, 197, 198, 203, 228, 229, 237, 298, 302, 303, 326, 372, 402, 412, 440, 450, 452, 462, 468, 482, 486, 489, 505.
Hingston: Francis, 378.
Hoff: Charles, 516.
Hofses: Johannes, 86, 88.
Holme: Benjamin, 298, 302, 325, 338, 365, 403, 429, 433, 440, 452, 466, 486.
Holmes: Jonathan, 267.
Holmes: Josiah, 172.
Hoops: Robert, 380.
Hopewell: Baptist congregation in, 25.
Hopkinson: Francis, 380, In Council, 478, 479, 482, 483, 485, 486, 490–492, 499, 501, 503, 505, 511–513, 515, 518, 519, 522, 524, 531, 534, 535, 537, 539, 540, 558, 564, 565, 568, 569.—Messenger, 484, 486, 500.—Of a committee, 553, 569.
Hough: Daniel, 26.
Howe: Micajah, 23.

Howell: Daniel, Suspected of being concerned in a murder in Middlesex county, 105-107.
Hude: James, 340, 341, 343, 380.
Hude: Robert, 340, 343.
Hughes: Elijah, 271.
Hunt: Nathaniel, 293.
Hunt: Noah, 293.
Hunt: Ralph, 513.
Hunt: Samuel, 513.
Hunt: Stephen, 293.

I.

Indians: Six Nations, 38, 39, 43, 46.—Petition to lease out their lands at Brotherton, 267.
Irich: John, 201, 205, 215.
Iron: Act for encouragement of making, 70, 71, 74, 104.
Ivins: Isaac, 160, 176.

J.

Jackson, Jr.: William, 380.
James: Abel, 537.
Johnes: Timothy, 516.
Johnson: Richard, 292.
Johnson: Robert, 239.
Johnson: Samuel, 266.
Johnston: John L., 29, 37, 42, 45, 72, 77, 85, 86, 91, 93, 96, 97, 101, 102, 211.
Juries: Act relating to, 330, 333.

K.

Kay: Isaac, 33.
Kearney, Jr.: Philip, 383, 384.
Kemble: Peter, In Council, 12, 20, 22, 24, 41, 42, 45, 47-56, 63-74, 76, 77, 83, 85, 86, 186, 188, 189, 194-199, 201, 203, 204, 206, 209, 210, 212, 301, 303, 310-312, 314, 316, 317, 319, 324, 327, 329, 357, 362, 363, 366, 367, 372-374, 399, 401, 403, 404, 406-408, 412-414, 416, 418, 420, 423, 425, 427-429, 486, 490-492, 499, 501, 503, 505, 506, 508, 513, 515, 518, 519, 522, 524, 526.—Of a committee, 354.—Absence from Council, 448.
Kent: David, 294.
King: Constant, 187.
King: John, 379.
Kinney: Thomas, 369, 379, 380, 516, 525.
Kinsey: James, 278, 311, 317, 325, 327, 330, 334, 339, 341, 387, 439, 456, 462, 467, 468, 482, 504.
Kirevan: Hugh Kirby, 293.
Kitchell: Abraham, 516.
Knight: Elizabeth, Proclamation of the Governor in regard to the murder of, 285, 286.—Murderer of, apprehended, 292.

L.

Ladd: John, In Council, 5, 12, 20, 24, 26, 27, 29, 32, 37, 40, 49-53, 56, 63-74, 76, 77, 83, 85-88, 90, 92, 93, 95, 96, 98, 99, 101, 102, 105, 106, 160, 170, 175.—Of a committee, 41, 49, 93, 101.—Messenger, 88, 91, 95, 96, 103.—Opinion of, as to the Governor's authority to execute the office of Chancellor, 163, 164.—His decease, 259.
Lake: John, 177.
Lame: John, 86, 87, 105.
Lame: Peter, 86, 87, 105.
Lawrence: John, In Council, 216, 218, 228, 230, 231, 233-236, 238, 242, 244, 245, 249, 250, 253, 267-271, 275, 281, 285, 288, 292, 301, 303, 310-312, 314, 316, 317, 319, 324, 352-354, 362, 372-376, 376, 386-389, 393, 395, 396, 399, 400, 401, 403, 404, 406, 413, 414, 416, 418, 420, 423, 427-430, 432-435, 437, 441, 442, 444, 450, 452-454, 457, 458, 461, 463, 466, 468-472, 478, 479, 482, 483, 485, 486, 490-492, 499, 511-513, 515, 518, 519, 522, 524, 533, 534, 535, 539, 540, 558, 564, 565, 568, 569.—Messenger, 228, 230, 231, 237, 240, 315, 440, 443, 444, 456, 460, 467.—Of a committee, 232, 234, 322, 323, 418, 419, 435, 439, 459, 468, 469, 482, 483, 489, 513, 553.—Mandamus admitting him to the Council, 259, 260.—Given leave of absence, 327.
Lawrence: Richard, 298, 328, 334, 423, 453, 460, 467, 495-499, 505.
Lawrence: Robert, 198.
Leaming: Aaron, 37, 49, 58-60, 62, 66, 78-82, 86, 97, 100, 220, 223, 225.
Leaming: Jonathan, 271.
Light: Johannes, 520.
Lishman: Henry, 86, 87.
Livingston: Walter L., 23, 177.
Lottery Accounts: 402, 407, 409.
Ludlow: Cornelius, 385, 516.
Lundy: Jacob.
Lundy: Samuel, 294.
Lupp: Peter, 201, 205, 215.
Lynn: Alexander, 293.

M.

Mackee: Peter, 516.
Mandeville: Hendrick, 293.
Martin: Ephraim, 380.
Marlin: John, 86, 88.
Marten: Matthew, 86, 87.
Maskell: Thomas, 386.
McBride: James, 265.
McEwen: Alexander, 23.

McMurtrie: Margaret, 338.
McMurtrie: Robert, 188.
Mecum: William, 511.
Mehelm: John, 298, 317, 325, 328, 339, 341, 346, 375, 387, 404, 424, 433, 435, 439, 453, 456, 465, 482, 491, 501, 564.
Meredith: Samuel, 23.
Mickle: Isaac, 33.
Military Affairs: An act for furnishing troops stationed in the Colony with provisions, 211–213–215.—An act for settling and regulating the militia, 226, 228, 229, 255.
Miller: David, 187.
Miller: Ebenezer, 37, 97, 100, 203, 220.
Millidge: Thomas, 516, 533.
Money: See *Bills of Credit.*
Monrow: John, 13.
Montaine: Abraham, 187.
Moores: John, 298, 302, 336, 338, 452.
Moore: Joseph, 491–493.
Moore: Sir Henry, Governor of New York, 3.
Moore: Thomas, 23.
Morris: Joseph, 385, 516.
Morss: Robert, 380.
Murdock: James, Sends a challenge to Lord Stirling, and the result, 506–508.

N.

New Jersey Society for the Better Support and Education of the Widows and Children of Deceased Presbyterian Ministers in Communion with the Present Established Church of Scotland: Petition for a charter, 269.—Report of the Attorney-General relative to a charter, 276–278, 283, 284.
Newland: Trevor, 177.
New York: Boundary line, 3, 9–11, 14–19, 21, 86, 87, 178, 179.
Nicholson: Samuel, 365, 366.
Norcross: William, 23.
Nymaster: Leonard, 201, 205, 215.

O.

Oakeson: Samuel, 354.
Obert: George, 201, 205, 215.
Obert: Peter, 201, 205, 215.
Odell: Jonathan, 524.
Ogden: Abraham, 359, 516.
Ogden: David, In Council, 6, 13, 20, 22, 24, 64–66, 68–74, 76, 77, 83, 85, 86, 177, 186, 195–199, 201, 203, 216, 218, 220–222, 226, 258, 264–266, 281, 290, 292–295, 297, 300, 301, 303, 310–312, 314, 316, 317, 319, 324, 327, 329, 332, 334, 336, 339, 340, 342, 343, 345, 346, 348, 353, 356, 357, 359, 362, 363, 372, 395, 396, 399, 400, 401, 403, 404, 406–408, 412–414, 416, 418, 420, 478, 479, 482, 485, 486, 490–492, 499, 501, 503, 505, 511–513, 524, 534, 535, 537, 539, 540, 558.—Of a committee, 25, 75, 87, 195, 204, 303, 354, 363, 364.—Messenger, 73, 84, 407.—His stables and outhouses burned, 107, 108.—Opinion of as to the Governor's authority to execute the office of Chancellor, 135, 154.—Nominated to be one of the Justices of the Supreme Court, 284.—Thanks of the Council to, 420.—An absent member of Council, 448.
Ogden: Gabriel, 497.
Ogden: John, 37, 67, 85, 91, 92, 101, 103, 187, 188, 267, 497.
Ogden: Lieut.-Col., 359.
Ogden: Samuel, 172, 294, 366–368, 420, 511–518.
Olden: Joseph, 188.
Ouke: William, 270.
Outgelt: Frederick, 201, 205, 215.
Oxford: Joseph, 373.
Oysters: Acts for the preservation of, 73, 75, 104, 403–405, 474, 501–505, 509.

P.

Parker: James, In Council, 12, 13, 20, 29, 32, 48, 49–56, 63–72, 98, 99, 101, 102, 105, 106, 160, 170, 175–177, 185, 186, 188, 189, 191, 193, 198, 199, 201, 203, 204, 206, 209, 210, 212, 218, 220–222, 226–228, 230, 231, 233–236, 238, 240, 242, 244, 245, 250, 253, 258, 264–271, 290, 292–295, 297, 300, 301, 303, 310–312, 314, 316, 317, 319, 324, 327, 329, 331, 334, 336, 339, 340, 342, 343, 345, 346, 348, 356, 357, 359–363, 366, 367, 372–376, 379–381, 384, 386–389, 399, 400, 401, 403, 404, 406–408, 412–414, 416, 418, 420, 427–430, 435, 437, 441, 442, 444, 447, 448, 450, 452–454, 457, 458, 461, 463, 468–472, 478, 478, 479, 482, 483, 486, 490–492, 499, 501, 503, 505, 511–513, 515, 518, 519, 522, 524, 531, 534, 535, 537, 539, 540.—Messenger, 56, 72, 100, 102, 202, 203, 205, 206, 229, 233, 236, 239, 317, 336, 342, 346, 417, 426, 436, 437, 441, 443, 444, 449, 455, 459, 464, 469, 473, 492, 493, 558.—Of a committee, 70, 71, 101, 202, 230, 301, 318, 332, 332, 335, 414, 415, 440, 452, 458, 484, 485, 491, 513, 553.—Opinion of as to the Governor's authority to execute the office of Chancellor, 161–163.—Inspector of boundary line between New Jersey and New York, 179.—Attendance at Council required, 569.
Parvin: Silas, 267–269.
Paulin: William, 294.
Paxson: Henry, 37, 49, 54, 88, 93, 97, 100, 103, 107, 197, 203, 298, 310, 311, 334, 340, 344, 439, 468.
Pearson: Mr., 48.
Peit: Nathaniel, 298, 302, 327, 403, 429, 435, 441, 445, 455, 472.
Pettit: Charles, Deputy Clerk, 36, 105, 179, 216, 258, 264, 274, 286, 352, 371, 395, 478, 511, 537, 539, 564.
Pharo: Amos, 12.
Philips: Samuel, 513.
Physic and Surgery: Practice of, 318, 325–327, 333, 334, 345, 346, 349, 350.

Physicians and Surgeons of the Province of New Jersey pray for a charter of incorporation, 524.
Pidgeon: William, 395.
Piles Grove, in the county of Salem, 13.
Pinhorne: Mary, 52.
Pitts Grove in the county of Salem, 13.
Powell: Howell, 23, 267.
Presbyterian Clergy in Communion with the Church of Scotland, residing in New Jersey, petition for a charter, 269, 276–278, 283, 284.
Price: Robert Friend, 37, 45, 67, 72, 90, 92, 96, 100, 195–197, 204, 206, 220, 221, 229, 231, 235, 238, 239, 298, 328, 340, 341, 372, 413, 418, 429, 450, 467, 468.
Price: Robert, 538.
Proclamations: In regard to the New York riots along the New York boundary line, 4, 10, 11.—In regard to taking fish in the river Delaware, 34–36.—In regard to the burning of David Ogden's stables and outhouses, 107.—In relation to the King's disallowance of two acts of the Legislature, 263.—For dissolving the General Assembly, 279.—In regard to the murder of Elizabeth Knight, 285, 286.—For appointing four terms to be held yearly in the Court of Chancery, 289, 290.—In regard to acts disallowed by the King, 370, 535–537.
Province Lottery, 302.

Q.

Queen's College, 24.

R.

Ralph: Francis, 86, 87.
Ratzer: Captain Bernard, 3.
Read: Charles, In Council, 1–3, 5–7, 9, 11, 12, 22, 24, 26, 27, 29, 32, 40, 42, 45, 47–56, 63–67, 72–74, 76, 77, 83, 85–88, 90, 92, 93, 95, 98, 99, 101, 102, 105, 106, 160, 170, 177, 180, 181, 216, 218, 220–222, 226–228, 230, 231, 233–235, 238, 240, 242, 244, 245, 249, 250, 253, 258, 264, 267–271, 275, 281, 285, 288, 293, 294, 295, 312, 314, 316, 317‘ 319, 324, 327, 329, 331, 334, 336, 339, 340, 342, 343, 345, 346, 348, 352, 353, 354.—Of a committee, 25, 63, 64, 227, 268, 323, 337, 340–342, 346.—Messenger, 48, 49, 66, 87, 325, 326, 338.—Opinion of, as to the Governor's authority to execute the office of Chancellor, 130–135.—Resigned the office of Justice of the Supreme Court, 385.
Read, Jr.: Charles, 354.
Reading: Joseph, 265, 275.
Redman: Thomas, 197.
Reed, Jr.: Joseph, Deputy Secretary, 5, 11.
Reynolds: David, 357, 361.
Richardson: Joseph, 361, 369.
Ried: Augustine, 180.
Riggs, Jr.: Joseph, 23.
Riots: Among the settlers along the boundary line, 4.
Risley: Samuel, 33.
Rob: Christopher, 86, 88.
Rockhill: John, 265, 266.
Rogers: Samuel, 198.
Ross: John, 294.
Roy: John, 23, 298, 311, 325, 341, 402, 424, 432, 487, 500.
Rozell: Zachariah, 13.
Runyon: Reune, 37, 88, 92, 211, 221.
Rutherford: Walter, 179.
Ryerson: Martin, 172, 238.

S.

Sagorighwiyogstha: Name given by the Indians to Governor Franklin, meaning The Great Arbiter, or doer of justice. 43.
Saint Mary's Church at Burlington: See *Burlington*.
Savage: Joseph, 172.
Sawrback: George, 86, 87.
Schools: In the town of Woodbridge, 1, 6.
Secaucus patent, 40, 52.
Sergeant-at-Arms and Doorkeeper, 449.
Seely: Ephraim, 267, 268.
Sergeant: Jonathan, 23.
Sharp: Isaac, 37, 54, 434, 438.
Shepherd: John, 298, 321, 337, 340, 402, 412, 435, 439, 483, 500, 505.
Shippen: Joseph, 525.
Shoemaker: Conrad, 423.
Shreeve: Israel, 525.
Skelton: Joseph, 178, 373.
Skelton: Thomas, 525.
Skinner: Cortland, 29.—Attorney-General, 30, 31, 170, 276–278, 284, 359—Speaker of House of Assembly, 37, 44, 186.—Messenger, 218.—Re-elected Speaker, 298.—Signs as Speaker, 308.—Thanks of Council to, 420.—Certificate of, relative to the difficulty between Earl of Stirling and Samuel Ogden, 522
Skinner: Stephen, Treasurer, 28, 29, 78–82, 208, 258, 320, 321, 494–496.—Appointed a member of the Council, 185.—In Council, 186, 191, 193–199, 201, 203, 204, 206, 209, 210, 212, 218, 220–222, 226–228, 230, 231, 233–236, 238, 240, 242, 244, 245, 249, 250, 253, 258, 264–271, 290, 294, 294, 295, 300, 301, 303, 310–312, 314, 316, 317, 319, 324, 327, 329, 331, 334, 336, 339, 340, 342, 343, 345, 346, 348, 356, 357, 359–363, 366, 367, 372, 373, 376, 386, 389, 403, 404, 406–408, 412–414, 416, 418, 420, 423, 425, 427–430, 433–435, 437, 441, 442, 444, 447, 448, 450, 452–454, 457, 458, 461, 463, 466, 468–472, 501, 503, 505, 506, 508, 510, 530, 533–535, 539, 540, 558, 564, 565, 568, 569.—Of a committee, 195, 231, 232, 322, 324, 345, 354.—Messenger, 201, 202, 211, 214, 221, 229, 303, 331–333, 335, 405, 406, 419, 420, 451, 454, 455.—Memorial from, 381–383.—His resignation as Treasurer offered and accepted, 383.—Proposed action against him to recover the money stolen from the Treasury, 387–389.
Slim: Peter, 86, 88.

Smith: Daniel, 187.
Smith: Frederick, 86, 87.
Smith: John, In Council, 1–3, 5–7, 9, 11–13, 20, 22, 24, 26, 27, 29, 32, 37, 40–42, 45, 47–56, 63–74, 76, 77, 83, 85–88, 90, 92, 93, 95, 96, 98, 99, 101, 102, 105, 106, 160, 170, 175, 176, 180, 181.—Of a committee, 41, 45, 101.—Messenger, 50, 91, 97, 100.—Opinion of, as to the Governor's authority to execute the office of Chancellor, 165, 166.—Decease of, 260.
Smith: Joseph, 29, 37, 48, 49, 77, 86, 89, 90, 96, 97, 100, 186, 233, 234, 519, 537, 557.
Smith: Richard, 446, 587.
Smith: Samuel, In Council, 1–3–7, 9, 11, 13, 20, 22, 24, 26, 27, 29, 37, 40–42, 45, 47–56, 63–74, 76, 77, 83, 85–88, 90, 92, 93, 95, 96, 98, 99, 101, 102, 105, 106, 160, 170, 175–177, 180, 181, 216, 218, 220–222, 226–228, 230, 231, 233–236, 238, 240, 242, 244, 245, 249, 250, 253, 258, 264–271, 275, 285, 288, 352–354, 362, 363, 366, 367, 372–376, 379–381, 384, 386–389, 393, 395, 396, 399, 400, 401, 403, 404, 406–408, 412–414, 416, 418, 420, 423, 425, 427–430, 432–435, 437, 441, 442, 444, 447, 448, 450, 452–454, 457, 458, 461, 463, 466. 468–472, 534, 535, 537, 539, 540, 558.—Of a committee, 25, 234, 418, 442, 456 —Treasurer, 29, 59–62, 221–224, 409, 410, 434, 435, 538, 554–557.—Messenger, 45, 90, 98, 449.—Opinion of, as to the Governor's authority to execute the office of Chancellor, 128–130.—Resigns office of Treasurer, 519.
Smith: Waters, 513.
Smith: William Lovett, 3.
Smyth: Frederick (Chief Justice), In Council, 3, 6, 12, 22, 24, 26, 27, 29, 32, 41, 52–56, 63–74, 76, 77, 83, 85–88, 90, 92, 93, 95, 96, 98, 99 101, 102, 176, 177, 185, 186, 188, 189, 193, 199, 201, 203, 204, 206, 209, 210, 212, 357, 359–363, 366, 367, 372–376, 395, 396, 399, 400, 401, 403, 404, 406–408, 412–414, 416, 418, 420, 423, 425, 427–430, 478, 479, 482, 483, 485, 486, 490–492, 499, 501, 506, 508, 510, 512, 513, 515, 518, 519, 522, 524, 526, 530, 531, 533, 535, 537.—Opinion of, as to the Governor's authority to execute the office of Chancellor, 121–128.—Of a committee, 418, 419, 513, 569.—An absent member of Council, 448.
Smyth: John, 383.—Appointed Treasurer of Eastern Division of New Jersey, 384. — Accounts of, 497–499. — Enters into a new bond, 504, 519. — Letter from, to the Assembly, 539, 540.
Spicer: Samuel, 33.
Stein: Jacob, 294.
Stannings: James, 513, 526.
Stephens: John, 8, 9.
Stern: Jacob, 24.
Stevens: John, In Council, 12, 49–56, 63–66, 105, 106, 160, 170, 175, 186–189, 196–199, 201, 203, 204, 206, 209, 210, 212, 216, 218, 220–222, 226–228, 230, 231, 233–236, 238, 240, 242, 244, 245, 249, 250, 253, 258, 264–271, 281, 290, 292–295, 297, 300, 301, 303, 310–312, 314, 316, 317, 319, 324, 327, 329, 331, 334, 336, 339, 340, 342, 343, 345, 346, 348, 357, 359, 360, 363, 366, 367, 372–374, 379–381, 384, 386–389, 418, 420, 423, 425, 427–429, 437, 441, 442, 444, 447, 448, 450, 452–454, 457, 458, 461, 463, 466, 468–472, 483, 485, 486, 490, 501, 503, 505, 506, 508, 510, 512, 513, 519, 522, 524, 526, 530, 534, 535, 537, 539, 540, 568, 569.—Of a committee. 49, 57–62, 195, 204, 207–209, 212, 221, 222, 225, 301, 302, 303, 316, 317, 319–321, 336, 340, 341, 343, 407, 408–411, 430, 431, 484, 489, 493–499, 513, 553–557.—Messenger, 213, 337, 338, 342, 348, 349, 506.—Opinion of, as to the Governor's authority to execute the office of Chancellor, 164, 165.—An Inspector of boundary line between New Jersey and New York, 179.—In regard to a duplicate warrant, 266.
Stevens: Richard, 198, 317, 318, 323, 352, 374.
Stewart: Archibald, 23.
Stiles: Jonathan, 380.
Stiles: Richard, 364, 365.
Stillwell: Nicholas, 37.
Stites: Hezekiah, 23.
Stokes: Joseph, 374.
Stockton: Job, 23.
Stockton: Philip, 23.
Stockton: Richard, Appointed a member of Council, 5.—In Council, 12, 13, 20, 22, 24, 40, 45, 47–53, 55, 56, 63–66, 68–74, 76, 77, 83, 85, 86, 90, 92, 93, 95, 96, 105, 106, 176, 177, 220–222, 226–228, 230, 231, 233, 265, 266, 269, 275, 292, 303, 310–312, 314, 316, 317, 319, 324, 327, 329, 342, 343, 345, 346, 348, 362, 372–376, 379, 381, 384, 386–389, 396, 399, 400, 403, 404, 406, 412–414, 416, 418, 423, 425, 427–430, 432, 434, 435, 437, 441, 442, 444, 447, 448, 450, 452–454, 457, 458, 461, 463, 466, 468–472, 483, 485, 486, 490–492, 499, 501, 503, 505, 506, 508, 512, 515, 518, 519, 522, 524, 526, 531, 535, 537, 539, 540, 558, 564, 565, 568, 569.—Of a committee, 25, 41, 49, 75–82, 93, 97, 221, 302, 315, 326, 342, 407, 417, 427, 430, 431, 435, 439, 452, 459, 461, 469–484, 502, 513, 515, 516.—Messenger, 45, 50, 51, 94, 95, 322–325, 345–348, 407, 424, 453, 462, 465, 472, 473, 503.—Opinion of, as to the Governor's authority to execute the office of Chancellor, 109–120.—Nominated one of the Justices of the Supreme Court, 385.
Stockton: Robert, 275, 373.
Stout: Joseph, 266.
Stout: Samuel, 23.
Stout: Thomas, 369.
Stricklin: Henry, 86, 88.
Suly, Jr.: Ephraim, 386.
Sykes: Anthony, 298, 311, 326, 336, 402, 413, 415, 429, 432, 435, 445, 452, 455, 472.
Syrs: Samuel, 265.

T.

Taylor: Edward, 37, 92, 197, 203, 228, 298, 302, 325, 337, 375, 403, 447, 460, 464, 469.
Taylor: Robert, 293.
Terrill: Thomas, 172.
Thibon: Garret, 178.
Thompson: Mark, 373.
Thompson: David, 23.
Throckmorton: John, 171, 176.
Throcmorton: Joseph, 388.
Tindall: Thomas, 210, 212, 244, 246, 247, 257.
Toby: Samuel, 265.

Treasurers: Bonds of, 32.—Accounts, 45, 49, 57–62, 77–82, 204, 207–209, 220–225, 302, 319, 402, 407, 408, 483, 489, 493–496, 554, 557.—Security to be given by, 93, 95, 100.
Treasury at Perth Amboy: Robbery of, 8, 9, 39, 43, 47, 295, 339, 341, 358, 359, 361, 362, 369, 375, 376, 381–383, 387, 396, 420, 421, 430, 431, 446, 447, 462–467.
Trenchard: George, 523, 524.
Tucker: Samuel, 37, 85, 86, 89, 98, 101, 201, 206, 210, 213, 229, 234, 238, 239, 298, 302, 310, 321, 334, 341, 349, 402, 410, 411, 423, 435, 453, 467, 471, 482, 483, 487, 489, 504, 553, 554–557.
Tuthill, Ebenezer, 616.
Tuthill: Samuel, 367, 368, 516.

V.

Van Beverhaudt: Lucas, 400–403.
Van Boskirk: Jacobus, 187.
Van Campen: Abraham, 188, 284, 294.
Van Campen: Isaac, 23.
Vandike, Jr.: John, 293.
Vangieson: Rinear, 363.
Vanhorne: John, 373.
Van Horne: Thomas, 298, 302, 338, 340, 400, 432, 441, 442.
Vanlear: George, 33.
Van Winkle: Walling, 23.
Verbryck: William, 354.

W.

Wake: Baldwin, 394.
Wake: Drury, 374.
Walker: Thomas, 275.
Warrants, 1–3, 7, 22, 26, 27, 32, 33, 173–175, 177, 180–182, 187, 189, 190, 272–274, 280, 281, 288, 289, 291–293, 296, 297, 352, 355, 376–378, 390–394, 528–535.
Wetherill: John, 37, 45, 86, 186, 214, 298, 340, 404, 420, 457, 467, 468, 470, 482, 505.
Wheaton: John, 294.
Wickham: William, 179.
Wilkins: Constantine, 423.
Willets: Micajah, 394.
Williamson: Matthias, 23.
Wilmot: Henry, 170.
Willis: Micajah, 12.
Winter: Gerhart, 86, 88.
Winds; William, 298, 302, 328, 334, 346, 403, 442, 472, 484, 492, 493, 502.
Winter: Henry, 23.
Wisler: Thomas, 86, 87.
Wob: Walter, 86, 88.
Woodbridge: Free school in, 1, 6.—Trinity Church in, 30.
Woodruffe: Samuel, 6, 318.
Woodruff: Thomas, 354, 363–365.
Wright: William, 341, 431.

Z.

Zabrieskie, Jr.: John, 23.
Zutphen: Guisbert, 23.

970